



Policy 325

Subject PROCEDURAL JUSTICE IN INTERACTIONS	
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By Order of the Police Commissioner

POLICY

It is the policy of the Baltimore Police Department (BPD) to police in a Procedurally Just manner that recognizes the dignity of all persons with whom officers interact. Procedural Justice is essential to building Police Legitimacy and public trust, which are critical to protecting and serving the public effectively.

Procedural Justice refers to the perception of fairness in an encounter with police, achieved by treating all persons with dignity and respect, giving persons a voice during encounters, being impartial in decision making, and conveying trustworthy motives. Conduct that conforms to these principles has the potential to build community trust and confidence in the police and foster the community's willingness to cooperate with police to advance shared public safety goals.

Procedural Justice is essential for fostering positive interactions with the public and is foundational of the Department's Community Policing Plan, which establishes a framework for improving police-community relations and reducing crime and disorder through collaborative problem-solving partnerships with the community.

PRINCIPLES OF PROCEDURAL JUSTICE

Throughout encounters with the public, members shall demonstrate the principles of Procedural Justice whenever possible to increase the likelihood of a positive interaction and build Police Legitimacy.

- **Fairness:** Procedural Justice is ultimately about fairness and consistency in both the process and outcomes of policing interactions. When the public perceives interactions as fair, these interactions contribute to public trust and Police Legitimacy.
- **Respect:** Be professional and courteous throughout the interaction and treat people with dignity and concern for their rights.
- **Voice:** Provide people the opportunity to explain their actions and ask questions before making a final decision. Listening to a person's perspective is important to conducting a fair decision-making process. Engaging and listening to community members prior to reaching a conclusion leads to more informed decision-making and increases community members' acceptance of the resolution.
- **Transparency:** Ensure people know why and how decisions are being made to foster understanding and cooperation with the decision-making process and outcome.
- **Impartiality:** Make transparent, neutral decisions based only on relevant information.
- **Trustworthiness:** Convey trustworthiness throughout your interactions by acting with

professionalism, understanding, and transparency.

DEFINITIONS

Police Legitimacy – The public's belief that the police can be trusted to act properly and in the public interest.

Procedural Justice – Treatment of a person by law enforcement officers in such a way that the person feels they were treated fairly and with consistency, dignity and respect, they were given voice, the officer was neutral and transparent, and the officer conveyed trustworthy motives.

DIRECTIVES

BPD members can take specific actions and practice certain behaviors that communicate to a person that the member is treating them in a Procedurally Just manner.

1. All members shall treat all persons with the courtesy and dignity that is deserving of every person as a human being.
2. All members shall act, speak, and conduct themselves in a professional manner, recognizing their obligation to safeguard life and property, and maintain a courteous, professional attitude in all contacts with the public.
3. Members shall conduct law enforcement encounters and actions, including voluntary contacts, field interviews, investigative stops, weapons pat-downs, vehicle stops, searches, interrogations, citation issuance, and arrests, among others, in strict accordance with BPD policy in order to demonstrate neutral decision-making and fair treatment, and avoid accusations or perceptions of discriminatory policing or bias.
4. All members shall use the following measures whenever reasonably possible while conducting law enforcement actions:
 - 4.1. Be professional and courteous.
 - 4.2. Introduce yourself.
 - 4.3. Explain to the person, as soon as possible, the reason for the contact unless providing this information will compromise the investigation or the safety of members or other persons.
 - 4.4. Answer any questions the person may have.
 - 4.5. Explain actions throughout the encounter.
 - 4.6. Ensure the length of an investigative stop or vehicle stop is no longer than reasonably necessary to take appropriate action for the known or suspected offense, as well as any offense which is legitimately discovered during the course of the investigation.
 - 4.7. Ensure that the purpose of reasonable delays is explained to the stopped person.

- 4.8. Provide name and sequence number when requested, verbally, in writing, or on a business card.
- 4.9. If the reasonable suspicion for the stop is dispelled or the stop was made in error, immediately release the person, explain the reason for the stop and the release, thank the individual for their patience, ask if they have any questions related to the interaction, and apologize for any inconvenience if an error was made.
5. Members should express appreciation for the person's cooperation during the encounter.
6. Members shall employ de-escalation tools like treating the individual respectfully and slowing down the encounter whenever possible (see Policy 1107, *De-Escalation*). Not only does this decrease the chances of the use of force or a violent outcome, but it also allows the member to listen to and communicate productively with the person. De-escalation tools that will be helpful to secure a non-violent outcome and to advance Procedural Justice include, but are not limited to:
 - 6.1. Verbal tools, such as listening to the person to give them voice, then explaining what the member is doing, what the person can do, and what will happen, explaining why the member is taking action and showing that the reason for that action is fair, and treating the person with dignity throughout the interaction.
 - 6.2. Physical tools, such as moving to a safer position, communicating from a safer position, diminishing potential threat by using distance or cover, or calling for assistance – such as CIT trained officers.
7. Unless the member or someone else is in imminent danger of harm, the member shall consider whether any lack of compliance may be due to the person's inability to comply. Someone who is unable to comply may be experiencing a:
 - 7.1. Medical condition,
 - 7.2. Behavioral health disability,
 - 7.3. Developmental disability,
 - 7.4. Physical limitation,
 - 7.5. Language or cultural barrier, or
 - 7.6. Drug or alcohol impairment.
8. Members shall ensure the safety of all individuals in arrest processing, searches, placement in custody, and transports.
9. Youth are particularly attuned to Procedural Justice. A Youth's earliest interactions with law enforcement can have a lasting impact on their perceptions of the legitimacy of the justice system and their likelihood of reoffending. Additionally, members should be mindful of the fact that not all problems that young people encounter are best dealt with by the criminal justice system, and diversion strategies may provide a more effective resolution than traditional enforcement methods (See Policy 1202, *Interactions with Youth*).

ASSOCIATED POLICIES

Policy 317, *Fair and Impartial Policing*
Policy 712, *Crisis Intervention Program*
Policy 720, *Interactions with LGBTQ Individuals*
Policy 803, *Criminal Citation Procedures*
Policy 808, *Civil Citation Procedures*
Policy 809, *Marijuana: Uniform Civil Citation*
Policy 812, *Misdemeanor Theft Procedures*
Policy 1018, *Lesser Offenses & Alternatives to Arrest*
Policy 1105, *Custodial Interrogations*
Policy 1106, *Warrantless Arrest Procedures and Probable Cause Standard*
Policy 1107, *De-Escalation*
Policy 1109, *Warrantless Searches*
Policy 1112, *Field Interviews, Investigative Stops, Weapons Pat-Downs & Searches*
Policy 1202, *Interactions with Youth*
Policy 1735, *Language Access Services for Limited English Proficient Persons*

COMMUNICATION OF POLICY

This policy is effective on the date listed herein. Each employee is responsible for complying with the contents of this policy.