



BIAS FREE POLICING

General Order Number: 48

Effective Date: 04/09/2024

POLICY:

A. General Considerations and Guidelines:

The Brookline Police Department is committed to protecting the constitutional and civil rights of all citizens. Allegations of biased based policing or discriminatory practices, real or perceived, are detrimental to the relationship between police and the communities they protect and serve, because they strike at the basic foundation of public trust. This trust is essential to effective community-based policing. Biased based policing are illegal and ineffective methods of law enforcement. Biased based policing includes race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable groups. Additionally, such improper methods violate the civil rights of the members of the public and may lead to increased exposure to liability. The Brookline Police Department does not endorse, train, teach, support or condone any type stereotyping or biased based policing by their officers. While recognizing that most officers perform their duties in a professional, ethical, and impartial manner, our department is committed to identifying and eliminating any instances of biased based policing. As such, biased based policing is strictly prohibited.

B. POLICY:

It is the policy of the Brookline Police Department to provide all people within this community fair and impartial police services consistent with constitutional and statutory mandates. The department will assure the highest standard of integrity and ethics among all our members. Officers will respect the diversity and the cultural differences of all people. The department will take positive steps to identify, prevent, and eliminate any instances of bias-based policing by our members. We will continue our commitment to community policing and problem solving including vigorous, lawful, and nondiscriminatory traffic enforcement that promotes public safety and strengthens public trust, confidence, and awareness. Further it is the policy of the Brookline Police Department that policing decisions and the conduct of law enforcement officers shall not consider a person's actual or perceived race, color, ethnicity, national origin, immigration or citizenship status, religion, gender, gender identity, sexual orientation, religion, mental or physical disability, socioeconomic or professional level. This policy shall include policing decisions made by or conduct of law enforcement officers that: (1) are based on

a law enforcement purpose or reason which is non-discriminatory, or which justifies different treatment; or (2) consider a person's race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level because such factors are an element of a crime.

C. Definition:

Racial or other Biased Based Policing: Differential treatment by law enforcement officer based on actual or perceived race, color, ethnicity, national origin, immigration or citizenship status, religion, gender, gender identity or sexual orientation in conducting a law enforcement officer action, whether intentional or evidenced by statistically-significant data showing disparate treatment; provided, however, that racial or other biased based policing shall not include the use of such characteristics, in combination with other factors, to apprehend a specific suspect based on a description that is individualized, timely and reliable.

D. Procedures:

1. **Prevention of Biased Based Policing:** To prevent biased based policing, the Brookline Police Department shall:
 - a. Sworn personnel and non-sworn enforcement personnel shall receive initial training and annual training in bias-free policing. This training shall include biased based policing related issues, including legal aspects and the standards established by this policy;
 - b. Ensure that this policy is disseminated to all sworn and non-sworn employees;
 - c. Train supervisory personnel to monitor police conduct to ensure that the standards of this policy are being carried out by employees under their supervision.
 - d. Annually review and, where appropriate, revise all procedures that involve the stop, detention, apprehension or search of individuals to ensure that such procedures are in compliance with the provisions of the law and this policy;
 - e. Annually review all performance recognition and evaluation systems, training curricula, policies, and customs of the department to determine if any practice encourages conduct that may support or lead to biased based policing.
 - f. Educate the public on what to expect when either stopped or detained by a police officer, as well as police expectation during motor vehicle stops or police detainment, to ensure both officer and citizen safety.
2. **Identification of Biased Based Policing:** To identify instances and to take corrective measures of biased based policing, the Brookline Police Department shall:
 - a. Utilize appropriate and established citizen complaint procedures to document and investigate allegations of Biased based policing filed directly with the agency or referred through the Executive Office of Public Safety's statewide complaint number; (617) 727-7775
 - b. Utilize procedures for the proactive review of performance, complaint and other employment information to assist supervisors in identifying and

modifying potentially problematic behavior and to promote professionalism in this department.

- 3. Enforcement of Bias Free Policing Policy:** To enforce the provisions of this policy and take corrective action, the Brookline Police Department shall:
 - a.** Take appropriate action to address documented incidents of biased based policing;
 - b.** Utilizing a system of intervention to enable or encourage an officer to undertake a voluntary modification of his or her conduct or performance;
 - c.** Take appropriate measures to correct any institutional practice or policy that has led to the use of biased based policing.
 - d.** The internal affairs officer shall coordinate all investigative activities pertaining to biased based complaints or incidents.
- 4. Annual Review of Policy:** The Office of Professional Responsibility shall conduct an annual administrative review of department policies and agency practices. This review is designed to reveal patterns or trends that may indicate the need for training, policy modification and/or corrective measures. At minimum a documented annual review will include traffic stops contacts, field contacts, asset seizure, forfeiture efforts, and reported citizen concerns. There shall be an annual report analysis completed to the review.