




Clayton County Police Department

PROCEDURES

Subject BIAS-FREE POLICING		Procedure # A7	
Authorizing Signature 	Effective 09-04-2025	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Rescinds	Total Pages 3

I. PURPOSE

The purpose of this policy is to emphasize the Clayton County Police Department's commitment to fair and bias-free treatment of all people and to clarify circumstances in which Department personnel may consider specified characteristics when carrying out duties. Fair and bias-free policing enhances legitimate law enforcement efforts and promotes trust within the community.

II. POLICY

Individuals having contact with Clayton County Police Department (CCPD) personnel shall be treated in a fair, impartial, bias-free, and objective manner, in accordance with law, and without consideration of specified characteristics as defined by this policy.

III. DEFINITIONS

Biased Policing: The selection of an individual(s) for enforcement action based in whole or in part on a trait common to a group, without actionable intelligence to support consideration of that trait. This includes, but is not limited to, race, ethnic background, national origin, gender, gender identity/expression, sexual orientation, religion, economic status, age, cultural group, immigration status, disability, housing status, occupation, language fluency, or any other identifiable characteristics or identifiable groups.

Fair and Bias-free Treatment: Conduct of Department personnel wherein all people are treated in the same manner under the same or similar circumstances irrespective of specified characteristics.

Police Services: Sometimes referred to as community caretaking functions, these are actions and activities that may not directly include enforcement of the law, but that contribute to the overall well-being of the public. These include, but are not limited to, such tasks as welfare checks; death notifications; public assistance to persons who may be lost, confused, or affected by mental or physical illness; traffic control; medical emergencies; lifesaving services; crime prevention; public information; and community engagement.

Specified Characteristics: For the purposes of this policy, real or perceived personal characteristics, to include but not limited to race, ethnic background, national origin, immigration status, gender, gender identity/expression, sexual orientation, religion, socioeconomic status, age, disability, or political affiliation.

IV. PROCEDURES

A. Fair and Impartial Treatment

1. **Biased policing is prohibited both in enforcement of the law and the delivery of police services.** [CALEA 1.2.9 (a)]
2. Department personnel shall take equivalent enforcement actions and provide bias-free services to all people in the same or similar circumstances. This does not mean that all people in the same or similar circumstances must be treated identically. Reasonable concessions and accommodations may be, and sometimes should be made, for example when dealing with people with disabilities, injury, or illness.
3. Department personnel may only consider specified characteristics when credible, timely intelligence relevant to the locality links a person or people with a specified characteristic(s) to a particular unlawful incident, or to particular unlawful incidents or criminal patterns.
4. Restrictions on the use of specified characteristics do not apply to law enforcement activities designed to strengthen the Department's relationship with its diverse communities.

B. Compliance

1. Every employee of this Department shall perform their duties in a fair and objective manner. In situations involving potential bias-based actions or policing incidents, Department personnel should intervene when it is reasonable to do so. In all cases, employees who witness or who are aware of instances of biased policing shall report the incident to a supervisor as soon as practicable, and before the end of their shift.
2. Supervisors shall:
 - a. Ensure that all personnel in their command are familiar with the content of this policy and shall be alert and respond to indications that biased policing is occurring.
 - b. Respond to violations of this policy with training, counseling, discipline, or other remedial intervention as appropriate to the violation.
 - c. Ensure that those who report instances of biased policing are not subject to retaliation.

C. Complaints and Corrective Measures

1. All complaints will be received in accordance with departmental policy. See CCPD SOP: *E1: Internal Affairs Investigations*.
2. Internal or external biased-policing complaints shall be assigned to the Office of Professional Standards (OPS) for investigation.
3. Whenever a person complains that an employee has engaged in practices prohibited by this policy, the employee receiving the complaint, will immediately notify an on-duty supervisor.
4. Supervisors will monitor the actions and behaviors of Department personnel. Supervisors will assist the Office of Professional Standards (OPS) in the investigation of any biased-policing complaint made against sworn personnel of the CCPD.
5. Corrective measures will be taken, to include, but not limited to disciplinary action(s), if an employee is found to be in violation of departmental policy. See also CCPD SOP: *B11: Disciplinary Procedures*.
6. The Office of Professional Standards (OPS) Commander, or authorized designee, will be responsible for reviewing and analyzing complaints filed against employees to identify potential patterns or trends that may indicate biased policing practices.
7. Information on biased-policing complaints and any other relevant details shall be provided to the Chief of Police, or authorized designee, as soon as practicable. Information shall be

presented in a manner most suitable for administrative review, problem assessment, and development of appropriate officer-level and/or Department-level corrective actions.

D. Annual Administrative Review

1. Annually, the Office of Professional Standards (OPS) Commander, or authorized designee, will conduct a documented administrative review of departmental procedures and practices.
 - a. This review is designed to reveal patterns or trends that may indicate the need for training and/or changes in policy. [CALEA 1.2.9 (b)]
 - b. This review will focus particularly on activities with potential for bias, including but not limited to, traffic stops, field contacts, asset forfeiture efforts, citizen complaints and corrective measures taken. [CALEA 1.2.9 (e)]
 - c. There shall be an *Annual Report Analysis* completed for this review.
2. The *Annual Report Analysis* shall be completed on departmental memorandum (*Memo*) to the Chief of Police, documenting any and all complaints of bias-based policing or related misconduct, including but not limited to:
 - a. A listing of each complaint;
 - b. Citizen concerns;
 - c. Review of departmental procedures and practices;
 - d. An explanation of action(s) taken; and
 - e. Recommendations for training and/or changes in policy.
3. The *Annual Report Analysis* will be distributed to the following:
 - a. Chief of Police;
 - b. Assistant Chief of Police and/or Deputy Chief of Police;
 - c. Accreditation Manager; and
 - d. Training Unit.
4. OPS will maintain a copy of each *Annual Report Analysis* for five (5) years.

E. Training

1. All newly hired employees will receive training on bias-free policing, including legal aspects. Documented initial training should be conducted prior, or at least sixty (60) days of assignment where personnel may interact with the public in an official capacity. [CALEA 1.2.9 (c)]
2. The Department will provide annual training (may be delivered during in-service training or as roll-call training) that addresses how bias can affect police activities and decision making, such as field contacts, traffic stops, searches, asset seizure and forfeiture, interview techniques and interrogations, and community support.
3. Remedial training shall be given to any employee as circumstances may warrant and/or as deemed appropriate by the Chief of Police, or authorized designee. [CALEA 1.2.9 (d)]
4. All departmental employees should also receive periodic training on cultural diversity and discrimination.
5. All personnel will receive the most current version of this policy via PowerDMS. Employees shall seek clarification from their immediate supervisor or chain of command if any part of this policy is unclear.

V. CANCELLATION

This procedure amends and supersedes the following standard operating procedure: *A7: Biased Based Profiling*, dated October 23, 2023.