




# Clayton County Police Department PROCEDURES

Subject <b>BIAS-FREE POLICING</b>		Procedure # <b>A7</b>	
Authorizing Signature 	Effective <b>10-23-2023</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Rescinds	Total Pages <b>3</b>

## 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, sexual orientation/identity, religion, economic status, age, cultural group or any other identifiable characteristics.

**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 CCPD's relationship with its diverse communities.

##### B. Compliance

1. Where appropriate, Department personnel are encouraged to intervene at the time the biased policing incident occurs. Department personnel who witness or who are aware of instances of biased policing shall report the incident to a supervisor.
2. Supervisors shall:
  - a. Ensure that all Department 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 & Corrective Measures

1. All complaints will be received in accordance with departmental policy. See CCPD SOP: *E1: Internal Affairs Investigations*.
2. Whenever a person complains that an employee has engaged in practices prohibited by this procedure, the employee receiving the complaint, will immediately notify an on-duty supervisor.
3. 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.
4. Departmental employees are subject to disciplinary action in accordance with departmental policy.

5. Information on biased-policing complaints and any additional relevant information shall be provided to the Chief of Police, or authorized designee, as soon as practicable, and 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 [CALEA 1.2.9 (c)]

1. The OPS Commander, or designee, will monitor complaints to detect any policing patterns or trends related to bias.
2. Annually, the OPS Commander, or designee, will conduct a documented administrative review of departmental practices concerning biased policing, to include citizen concerns and complaints, and any corrective measures taken.

The annual review 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.

OPS will maintain a copy of each annual review for five (5) years.

E. Training [CALEA 1.2.9 (b)]

1. The Department will provide annual 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.
2. All departmental employees should also receive periodic training on cultural diversity and discrimination.
3. All newly hired employees of this Department will receive training on bias-free policing.

**V. CANCELLATION**

This procedure amends and supersedes the following standard operating procedure: *A7: Biased Based Profiling*, dated August 22, 2018.