



Michelle LaJoye-Young
SHERIFF

Kent County Sheriff's Office Policy and Procedure

Subject: Bias-Influenced Policing Prohibited	General Order: 1 . 5 . 4
Effective Date: 02/06/2023 Revision Date:	Distribution: All Personnel

I. PURPOSE

The purpose of this policy is to clearly define biased-influenced decision-making, create guidelines prohibiting it during any citizen contact, and how reported events of bias-influenced decision-making involving Kent County Sheriff's Office (KCSO) personnel will be investigated.

II. POLICY

It is the policy of the KCSO that all personnel shall act in a manner that does not unlawfully discriminate against individuals based on their race, ethnicity, gender, gender identity, religion, economic status, age, sexual orientation, lifestyle preference, or any other protected class.

Maintenance of public trust and confidence in the KCSO is critical to effectively providing unbiased police services and is achieved largely through the KCSO Values, Vision, and Mission as defined in **General Order 1.1.1 – Written Orders**.

All sworn personnel shall be trained in the impropriety of bias influenced policing, including legal requirements and sanctions, at a minimum of annually. All KCSO personnel will receive implicit bias training through the KCSO or the County of Kent.

III. DEFINITIONS

- A. **Bias-Influenced:** Any initiated action that relies upon the race, ethnicity, gender, gender identity, religion, economic status, age, sexual orientation, lifestyle preference, or any other protected class of an individual rather than the behavior of that individual while in the performance of their duties.
- B. **Probable Cause:** A legal standard in criminal law that refers to the reasonable belief, based on facts and/or evidence, that a person has committed or is

committing a crime or that a particular location contains evidence of a crime.

IV. PROCEDURES

A. Fair and Equal Treatment

1. Bias-influenced policing is prohibited both in the enforcement of the law and the delivery of police services.
2. Personnel may not use race, ethnicity, gender, gender identity, religion, economic status, age, sexual orientation, lifestyle preference, or any other protected class as the sole criteria for determining when or how to take action or provide police services.
3. No personnel shall enforce or act upon stereotypes, attitudes, lifestyles, or beliefs that a person's race, ethnicity, gender, gender identity, religion, economic status, age, sexual orientation, lifestyle preference, or any other protected class increases the probability that a person will act unlawfully.
4. Personnel shall not engage in political or religious discussions to the detriment of good discipline and shall not remark in a manner that degrades another person's national origin, creed, or beliefs.
5. Deputies shall take equal enforcement actions and provide equivalent services to all persons in the same or similar circumstances.
6. No personnel shall intentionally use derogatory language or gestures towards any civilian or group.
7. Personnel who have an adverse personal emotional response to a situation with a civilian shall request that another officer assume responsibility for the matter as soon as reasonably possible.
8. Unless exigent circumstances exist, deputies shall not engage in a law enforcement matter when it involves a family member, friend, or relative such that the deputy's objectivity may be, or may appear to be, compromised. Deputies who are personally involved in enforcement actions shall summon other officers for assistance or intervention where reasonably possible.
9. Nothing in this policy prohibits deputies from using the undeniable traits and characteristics of persons, such as race, ethnicity, or national origin, in combination with other facts to assist in establishing reasonable suspicion or probable cause in the same manner that officers would use hair color, height, weight, or gender for such purposes.

B. Duty to Intervene

All personnel, when they reasonably believe another employee is acting in a bias-based capacity in the performance of their duties, have a duty to intervene if given the opportunity and means. The intervening personnel must report the incident to a supervisor without unreasonable delay.

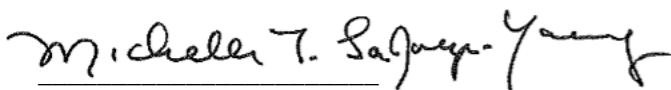
C. Investigating Complaints of Bias-Influenced Policing

1. All complaints shall be forwarded to the Divisional Commander and investigated according to General Order **1.3.1 – Professional Standards**.
2. In the event that an incident of bias-influenced policing is found to have occurred, corrective action will be taken in accordance with department policy (**1.4.1 – Disciplinary Procedures**).
3. The Office of the Sheriff or their designee shall complete a written annual meaningful review of agency practices and any corrective action taken.

V. CANCELLATIONS

None

Authorized by:



Michelle LaJoye-Young

Sheriff

Index as:

Standard 1.5.4

Application: This directive constitutes department policy and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third-party claims insofar as the employer's or employee's legal duty as imposed by law.

KENT COUNTY SHERIFF'S OFFICE