

 Kinston Police Department	<b><u>POLICY: Bias-Free Policing</u></b>						<b><u>POLICY #:</u></b>  <b>200-7</b>
	<b><u>NCLEA Standards: 1.11:</u></b>						
	<b><u>CALEA Standards: 1.2.9</u></b>						
	<b><u>NCLM Standards: I.6.:</u></b>						<b><u>Effective Date:</u></b>
<input type="checkbox"/> New <input checked="" type="checkbox"/> Revised	<b>Revision Dates:</b>	01/01/21	02/04/25				<b>07-01-2019</b>
Approval: Chief of Police							

## I. PURPOSE AND SCOPE

This policy provides guidance to office members that affirms the Kinston Police Departments commitment to policing that is fair and objective.

## II. DEFINITIONS

Unlawful or Improper Bias: An inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement services.

## III. POLICY

The City of Kinston Police Department is committed to the highest standard of courtesy and professionalism in all contacts with the public and between employees in the workplace. Bias for or against any person because of race, gender, religion, politics, ethnicity, national origin, life-style, economic status, age, culture or other identifiable group characteristic, or similar personal characteristics **IS PROHIBITED**. All officers and employees must avoid taking action or using language that is reasonably understood to be derogatory to any such group, or reflects bias for or against any such group.

It is this agency's firm policy that the law enforcement practiced in the City of Kinston is pro-active and community based. Inherent in that mission is the responsibility to accomplish this task in a way that respects the dignity of all persons and yet sends a strong deterrent message to actual and potential lawbreakers.

## IV. UNLAWFUL OR IMPROPER BIAS PROHIBITED (NCLEA 1.11) (CALEA 1.2.9 a)

Stopping a vehicle or person, issuing a citation, searching a person or vehicle, making an arrest, or taking any action in traffic contacts, field contacts, seizing assets or initiating the forfeiture of property solely because of race, ethnicity, national origin, or any other group characteristic of an individual **IS PROHIBITED**.

Nothing in this policy is intended to prohibit a officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

## **V. MEMBER RESPONSIBILITIES**

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

Officers contacting a person shall be prepared to articulate sufficient reason for the contact or constitutional or statutory authority to justify the contact, independent of the protected characteristics of the individual. Officers are also required to be observant, to identify unusual occurrences in law violations and to act upon them.

All officers must accurately record all data required by North Carolina General Statute (NCGS) on the Traffic Stop Report Form SBI-122. Checkpoint stops and stops to investigate any crime other than a Chapter 20 offense need not be recorded under NCGS. The Department Records Section is responsible for data entry of SBI-122's into the SBI system.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

## **VI. SUPERVISOR RESPONSIBILITIES**

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Internal Affairs 900-8 and Harassment and Discrimination 200-19 Policies.

- a. Supervisors should discuss any issues with the involved officer and his/her immediate supervisor in a timely manner. Supervisors should document these discussions, in the prescribed manner.
- b. Supervisors should periodically review Body Worn Camera (BWC) recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
  1. Supervisors should document these periodic reviews.
  2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- c. Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- d. Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this office who discloses information concerning bias-based policing.
- e. Ensure the requirements of NCGS are understood and complied with by subordinate
- f. Review completeness of SBI-122 prepared by subordinate officers.

## **VII. STATE REPORTING**

The Records Section shall submit a monthly report to the Department of Public Safety consisting of the information gathered from traffic stops as required by N.C.G.S. § 143B-903(e).

## **VIII. ADMINISTRATION (CALEA 1.2.9 c)**

The Professional Services Division Major shall periodically review the efforts of the department to provide fair and objective policing and submit a documented annual administrative review of activities with potential for bias to include, but not limited to, traffic and field contacts, asset forfeiture efforts, citizen complaints and any corrective measures taken. The annual review should contain the information gathered from traffic stops as required by N.C.G.S. § 143B-903(e), including public concerns and complaints, and any corrective measure taken to the Chief of Police. The annual review should not contain any identifying information about any specific complaint, member of the public or officer. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors should review the monthly statistical report submitted to the Department of Public Safety and the annual report and discuss the results with those they are assigned to supervise.

## **IX. TRAINING (CALEA 1.2.9 b)**

Training on fair and objective policing and review of this policy should be conducted at time of initial employment or within 60 days of assignment where member may interact with the public in their official capacity. Additionally, refresher training is provided annually as directed by the Training Coordinator. Training programs will emphasize the need to respect the rights of all citizens to be free from unreasonable intrusions into their everyday affairs, and the legal basis for equal treatment for all citizens. Initial training and annual training in biased issues including legal aspects will be provided to all affected agency personnel.

Remedial training and counseling may be required whenever an officer or employee has engaged in conduct or used language that is reasonably interpreted as violating this policy. A serious, intentional violation of this policy may result in disciplinary action to include suspension, demotion, or termination.