

**LITTLE ROCK POLICE DEPARTMENT
GENERAL ORDER**

G. O. 117 BIAS BASED PROFILING

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I. Purpose

- A. The purpose of this General Order is to promulgate the Department's policy prohibiting the use and/or practice of bias based profiling tactics against any individual or group based solely on the individual or group's race, color, creed, religion, sex, national origin, age, disability, marital status, sexual orientation, gender identity, genetic information, political opinions or affiliation or socio-economic status (real or perceived).

II. Policy

- A. It is the policy of the Little Rock Police Department to patrol in a proactive manner, to aggressively investigate suspicious persons and circumstances and to actively enforce the law. The Little Rock Police Department neither condones nor tolerates the practice of bias based profiling tactics in its enforcement efforts.

III. Definition

- A. Bias based profiling- When a police officer stops, detains, takes investigative or enforcement action against a citizen, or group of citizens, based solely on the individual or group's race, color, creed, religion, sex, national origin, age, disability, marital status, sexual orientation, gender identity, genetic information, political opinions or affiliation or socio-economic status. Bias based profiling is inclusive of racial profiling.

Bias based profiling- may also be the characterization of any of the aforementioned groups with a preconceived tendency or propensity to engage in criminal activity.

- B. Racial profiling A.C.A. § 12-12-1402 is the practice of a law enforcement officer relying to any degree on race, ethnicity, national origin or religion in selecting which individuals to subject to routine investigatory activities or in deciding upon the scope and substance of law enforcement activity following the initial routine investigatory activity.

Racial profiling does not include reliance on these criteria in combination with other identifying factors when the law enforcement officer is seeking to apprehend a specific suspect whose race, ethnicity or national origin is part of the description of the suspect and the description is thought to be reliable and locally relevant.

- C. Reasonable suspicion (ARCrP 2.1) is a suspicion based on facts or circumstances which of themselves do not give rise to the probable cause requisite to justify a lawful arrest, but will give rise to more than bare suspicion; that is, a suspicion that is reasonable as opposed to an imaginary or purely conjectural suspicion.

IV. Procedure**A. Enforcement, Investigations and Citizen Contact**

1. Sworn personnel are prohibited from using the race, color, creed, religion, sex, national origin, age, disability, marital status, sexual orientation, gender identity, genetic information, political opinions or affiliation or socio-economic status of a person as the sole reasoning for stopping a vehicle, making an arrest, conducting a field interview, investigative detention, seizing assets, seeking asset forfeiture, or conducting a search.
2. All investigatory detentions, traffic stops, arrests, searches and seizures shall be based upon the standards of reasonable suspicion or probable cause as required by the Fourth Amendment of the U. S. Constitution, State Statutes, Arkansas Rules of Criminal Procedure, and/or subsequent court rulings. Traffic stops shall be conducted in accordance with General Order 107, Limits of Authority and General Order 316, Mobile Video Recording Equipment.
3. Sworn personnel shall treat all citizens with courtesy and respect when making contact. Officers are forbidden from using language or displaying symbols and gestures that are commonly viewed as offensive to, or are indicative of bias towards any group.
4. No employee shall retaliate against any individual reporting incidents of bias based profiling.
5. Officers shall identify themselves by their full name and Department. All persons stopped by an officer shall be provided with an explanation for why they were stopped, unless disclosure of such information would undermine an investigation or jeopardize the officer's safety. Providing citizens with an explanation of why they were stopped fosters better relations with the community and reduces the perception of bias on the part of the police.
6. Nothing in this section shall limit an officer's ability to interview witnesses or discourage routine conversations with citizens not suspected of an offense.

B. Supervisory Responsibility

1. Supervisors shall:
 - a) Ensure that subordinates are familiar with this policy and adhere to its provisions;
 - b) Receive all citizen complaints or allegations of profiling on the part of individual officers, units, or the Division and forward such information for further inquiry to the Professional Standards Section. (Suspicion or allegations of bias based profiling by any employee of this Department or citizen will be handled in conjunction with General Order 211, Internal Investigations, Citizen Complaints, and Disciplinary Actions).

C. Training

1. The Training Division shall conduct *initial and* annual training with sworn personnel on subjects that include, but are not limited to, bias based profiling, cultural diversity, interaction with citizens, policies, ethics, legal aspects, and related topics. Training may be conducted through in-service training, special courses, or roll-call training.
2. The Training Division shall be responsible for coordinating special training for a particular unit or officer when requested by a Division Commander or the Office of the Chief of Police.

D. Professional Standards

1. The Professional Standards Section shall submit a monthly report to the Chief of Police that summarizes complaints alleging bias based profiling on the part of departmental personnel during the previous month.
2. The Professional Standards Section shall conduct and document an annual administrative review each January on the agencies practices, including citizen complaints received during the previous year. This documented administrative review will be submitted to the Chief of Police.

Subsequent to a review by the Office of the Attorney General, this policy has been amended to conform to specific terms set forth in Arkansas Act 1207 of 2003 establishing requirements to prohibit racial profiling.

Additions and revisions are *italicized* and underlined.