



NC State University Police Department

Policy and Procedure

100-4 – Bias Based Profiling

Approved: February 21, 2024

Replaces Policy 100-4 Dated: 11/7/2022

*All revisions are in **BOLD** print.*

PURPOSE: The purpose of this policy is to prohibit bias based profiling and to establish procedures to ensure police actions are not taken because of race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

POLICY: It is the policy of the North Carolina State University Police Department to conduct investigative field stops, traffic stops and interactive patrols for the purpose of deterring motor vehicle violations, and to provide law enforcement visibility to assist in deterring more serious crimes. Officers should strive to make each contact educational and leave the violator with the impression that the officer has performed a necessary task in a professional and friendly manner.

Criminal profiling can be a useful tool to assist law enforcement officers in carrying out their duties. Bias based profiling, however, is the selection of individuals based solely on a common trait of a group and is never acceptable. This includes, but is not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable groups.

DEFINITION:

None

PROCEDURES:

A. Rules

1. Officers are prohibited from bias based profiling while initiating vehicle stops, detaining anyone in field contacts, searching and seizing property through asset forfeiture, or arresting, any person based solely on the person's race, national origin, citizenship, religion, ethnicity, age, gender, color, creed, sexual orientation or disability.
2. Officers will have reasonable suspicion supported by specific articulated facts that the person contacted regarding their identification, activity or location has been, is or is about to commit a crime or is currently presenting a threat to the safety of themselves or others. This does not prevent officers from conducting "voluntary encounters" with citizens regardless of the situation.
3. Officers will treat every person with courtesy and respect.
4. Officers will not attempt to equalize police action among racial, ethnic, or national origin groups. All enforcement action should be based reasonable suspicion and/or probable cause and conducted so unilaterally, not taking into consideration race, ethnicity or national origin as a bases for the stop.
5. Whenever a person complains that an officer has engaged in practices prohibited by this directive, the officer will notify their supervisor.
6. Officers found to have engaged in bias based profiling will receive appropriate disciplinary action in accordance with State, University, and Departmental policy.

B. Officer Responsibilities

1. An officer may stop a motor vehicle upon reasonable suspicion that the driver or an occupant committed a motor vehicle violation or other offense. Such stops will conform to departmental policy and procedures.
2. This directive does not preclude an officer from stopping a vehicle to offer assistance, (e.g., to inform a driver of an item left on the roof or of a substance leaking from the car). Such actions should be reported as an "assist motorist" call.

3. Officers are prohibited from stopping, detaining, searching, seizing property or arresting anyone because of the person's race, national origin, citizenship, religion, ethnicity, age, gender, color, creed, sexual orientation, or disability unless they are seeking an individual with one or more of those identifying attributes (e.g., officers may consider a person's apparent age when investigating a possible violation when age is an element of such).
4. Each officer will complete a Traffic Stop Form (SBI-122) or a NCSU Police Department "Multi-traffic Stop Report" after stopping the driver of a vehicle. Note: Officers must complete the SBI-122 traffic stop form if the traffic stop involves an arrest, physical resistance or search/ seizure during the traffic stop.
5. The Traffic Stop Form requirement applies to all motor vehicle violations and investigatory stops.
6. Traffic Stop Forms (SBI-122) or NCSU Police Department "Multi-traffic Stop Reports" are required at checkpoints when a vehicle is pulled out of line.
7. Officers will complete a "9910" report documenting investigative field contacts of suspicious persons based on reasonable suspicion or voluntary encounters. This report will include the age, race, and gender of the person. Emergency Communication Officers will ensure that these reports are reported as officer initiated events.

C. Supervisor Responsibilities

1. Supervisors will ensure that officers follow the policies and procedures outlined in this directive.
2. If a supervisor is available, he/she will respond to the stop location when advised that a person is making a complaint alleging profiling or other improper conduct.
3. All complaints whether external or internal will be accepted and documented on an Internal Affairs Report Form and will be investigated. (Refer to General Order 200-15)

D. Review/Reporting Requirements

1. The department will complete a documented annual review of citizen complaints, agency practices and statistical information collected to insure compliance with North Carolina General Statutes and adherence to this policy.
2. If the review reveals a pattern, an investigation will be conducted to determine whether any officers of this department routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law.
3. The department will forward statistical information, as required by statute, to the State Bureau of Investigation.

E. Training

1. All sworn employees of this department will receive training regarding bias based profiling including the legal aspects.
2. Annual sensitivity training regarding the department's bias based profiling policy will be provided to employees who conduct field stops and stops of motor vehicles regarding the prohibition against bias based profiling.

APPROVED:



Daniel L. House Jr.
Chief of Police