

## 2.418 IMPARTIAL POLICING (1.2.9)

- A. The agency: {Revised: 12/21/16}
1. Affirms its commitment to impartial, unbiased policing;
  2. Clarifies the circumstances in which race, ethnicity, gender, or other demographic criteria can legitimately be used as factors establishing reasonable suspicion or probable cause; and
  3. Reinforces procedures to ensure that employees are providing services and enforcing laws fairly, equitably, and impartially.
- B. All enforcement actions, such as investigative detentions, “Whren” stops consistent with *Whren, et al v. United States*, 517 US 806 (1996), traffic stops, arrests, searches and seizures, etc., will be based on the standard of reasonable suspicion or probable cause as required by statutes, case law, and the 4<sup>th</sup> Amendment of the US Constitution.
1. Officers must be able to articulate specific facts and circumstances that support probable cause or reasonable suspicion for all enforcement actions.
  2. Officers will not take any enforcement actions, traffic contacts, field contacts, or asset seizures based on any illegal or improper criteria.
  3. OFFICERS WILL NOT STOP, QUESTION, TAKE ENFORCEMENT ACTION, ARREST, OR SEARCH PERSONS OR VEHICLES BASED ON THE ARBITRARY FACT THAT A PERSON RIDES A MOTORCYCLE OR WEARS MOTORCYCLE-RELATED CLOTHING OR PARAPHERNALIA.
  4. Officers may take into account the reported race, ethnicity, gender, or other demographic criteria of suspects based on trustworthy, locally relevant information that links persons of specific description criteria to particular unlawful incidents.
  5. Nothing in this or any other of the agency’s directives alters officers’ authority to conduct enforcement actions or otherwise fulfill officers’ enforcement obligations.
- C. Officers will use techniques and strategies to advance the reality of impartial policing. These techniques and strategies include, but are not limited to:
1. Being courteous, polite, and professional;
  2. Providing officers’ names and agency information;
  3. Explaining reasons for stops as soon as practical, unless doing so compromises the safety of officers or others;
  4. Ensuring the lengths of traffic stops, investigative detentions, field contacts, etc., are no longer than necessary to take appropriate actions;
  5. Answering questions citizens may have, including any options that citizens may have to dispose of related enforcement actions;
  6. Explaining the credible, reliable, or locally relevant information that lead to stops or contacts when no enforcement actions were taken;
  7. Requesting the presence of a supervisor or commander to allow citizens to voice their concerns over field contacts or enforcement actions; and
  8. Explaining the agency’s complaint process.
- D. The commander responsible for professional standards is responsible for ensuring:
1. A documented administrative review is conducted at least yearly of the agency’s related policies, practices, citizen concerns, and any corrective measures taken.
- E. The commander responsible for internal affairs and training function shall be responsible for ensuring:
1. That complaints alleging officers have conducted policing activities based on any improper criteria are investigated consistent with **1.720 Punitive Discipline**; and
  2. That officers receive initial training as well as in-service and remedial training as defined by the agency

#### **2.418.02 Traffic Stop Data Collection**

- A. Officers will complete appropriate enforcement documents and Supplemental Data Stickers (UPO.012.D) whenever they stop motor vehicles and detain occupants to investigate traffic offenses, equipment violations, or take other related enforcement actions. See also **2.418.06 Documentation Guide**.
- B. Traffic stops that do not require **Supplemental Data Stickers** include:
  - 1. Checkpoints or roadblock stops;
  - 2. Stops of multiple vehicles due to traffic accidents or emergency situations requiring the stopping of vehicles for public safety purposes;
  - 3. Traffic stops initiated as criminal investigative stops.
- C. State citations, SEROs, or written warnings must be issued for every traffic stop. If officers subsequently determine that violations did not occur, they may conclude stops without issuing documentation to drivers. In these cases, officers will complete applicable sections of written warnings to document the stops, but copies will not be provided to drivers.
- D. Officers who conduct searches and/or make arrests as the result of traffic stops are still required to document their initial reasons for the related stops on state citations, written warnings, or SEROs as appropriate in addition to required agency reports.
- E. Officers who terminate traffic stops because they are redirected to higher priority calls:
  - 1. Should attempt to briefly explain their actions to drivers;
  - 2. Will not issue any documentation to drivers unless the forms are complete;
  - 3. Will respond to priority calls; and
  - 4. Will, if forms have already been started, subsequently complete at least those sections on state citations, written warnings, or SEROs to document the date, time, and location of the traffic stops. All copies of these documents, excepting officers' copies, will be submitted for supervisory review and subsequent transmittal to Central Records.
- F. Documentation from early terminated traffic stops will not be issued to drivers.
- G. Officers will complete and submit for supervisory review state citations, written warnings, SEROs, and Supplementary Data Stickers as necessary prior to ending their tours of duty.
- H. Supervisors will:
  - 1. Inspect all traffic stop documentation submitted to them for review;
  - 2. Ensure any deficiencies are corrected;
  - 3. Place their initials and ID numbers on Supplementary Data Stickers as a sign of their completed and approved inspections;
  - 4. Submit completed and inspected documentation to Central Records prior to the end of their tours of duty; and
  - 5. Provide subordinates with any necessary and appropriate instructions and assistance to ensure complete documentation of required information.

#### **2.418.04 Management Responsibilities**

- A. The Logistics Officer will ensure appropriate supplies of required forms and supplemental data collections stickers are available.
- B. The Central Records supervisor will:
  - 1. Ensure documentation is inspected for completeness;
  - 2. Accept thorough and accurate data from completed traffic stops and appropriate partial information from traffic stops that were terminated early;
  - 3. Ensure officers correct documentation deficiencies prior to accepting documentation for data entry;
  - 4. Use enforcement documents, Supplemental Data Stickers, and other submitted documentation to obtain all information necessary for data entry;

5. Ensure that all required information is accurately entered and submitted as required; and
  6. Ensure any statistical reports are generated.
- C. The commander responsible for Central Records will ensure:
1. Data is being collected, accurately entered, and submitted as required by controlling directives;
  2. Data is available for review by the Chief and others as the Chief may designate; and
  3. Any internal analytical studies are completed as required.

### 2.418.06 Documentation Guide

Incident	Required Documentation
<b>Traffic Stops</b> Observed Violation	State Citations, Written Warnings, or SEROs <b>NO</b> Verbal Warnings <b>YES</b> Supplemental Stickers
<b>Traffic Stops</b> Radar, Laser, Vascar, License plate recognition	Issue State Citations, Written Warnings <b>NO</b> Verbal Warnings <b>YES SUPPLEMENTAL STICKERS</b>
<b>Traffic Stops</b> No Actual Violation	Portions of Written Warnings <b>NO</b> Documents Issued to Drivers <b>NO</b> Supplemental Stickers
<b>Traffic Stops</b> Abruptly Terminated -Priority Call	Date, Time, & Location Information on State Citations <b>NO</b> Documents Issued to Drivers <b>NO</b> Supplemental Stickers
<b>Safety Checkpoints</b> Sobriety / Seatbelt Checkpoints	State Citations, Written Warnings for Violations <b>NO</b> Verbal Warnings <b>NO</b> Supplemental Stickers
<b>Searches</b> Driver, Occupant, Vehicle, or Property Searched During Stop	Issue Appropriate Documentation for the Respective Type of Stop. <b>YES</b> Traffic Stop Data Record Must Write Reports for all Searches