


**Department of Public Safety
Police Division
Policies and Procedures**

<u>Title</u> Bias-Free Policing	<u>SOP Number</u> 4.1.300
Approval Signature 	
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Reviewed/Revised by	Pages 5
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Bias Free Policing

- I. **Purpose:** The purpose of this policy is to emphasize the University of Cincinnati Police Division's (UCPD) commitment to unbiased, equitable treatment of all persons in enforcing the law and providing police services.
- II. **Policy:** Personnel shall not consider race, ethnicity, national origin, gender, sexual orientation/identity, socio-economic status, religion, immigration status, and/or age in carrying out law enforcement activities, except when seeking one or more specific persons who have been identified or described in part by any of the above listed characteristics. In those circumstances, personnel may rely on these characteristics only in combination with other appropriate factors.

It is biased policing if an officer's decisions/actions are based on the fact that the individual's demographics (e.g., race, income) are different from the demographics of the majority of the residents in the area in which the individual is found.

These restrictions on the use of these factors do not apply to agency activities designed to strengthen the Division's relationship with its diverse communities.

III. Definitions:

Administrative Review: A documented evaluation of various types of police actions that do not require a formalized investigation but are subject to a command-level evaluation for adherence to policies, training, and practices.

Articulate suspicion (reasonable suspicion): A particularized and objective basis, supported by specific and articulable facts, for suspecting a person of criminal activity; the degree of suspicion of criminal activity that justifies an investigative detention but not an arrest. It can be based on an officer's observations, training, and experience, or information received from credible outside sources. Articulate Suspicion cannot in any way be based on an individual's race, ethnicity, national origin, gender, sexual orientation, socioeconomic status, religion, immigration status, and/or age, except when a description of a suspect includes such identifying characteristics.

Illegal profiling: Unequal treatment of any person, including stopping, questioning, detention, or arrest based on their racial or ethnic characteristics, national origin, gender, sexual orientation, socio-economic status, religion, immigration status, and/or age.

Probable Cause: When facts and circumstances within an officer's knowledge are sufficient to warrant a prudent person or one of reasonable caution to believe that the suspect has committed, is committing, or is about to commit an offense. Probable Cause cannot in any way be based on an individual's race, ethnicity, national origin, gender, sexual orientation, socio-economic status, religion, immigration status, and/or age, except when a description of a suspect includes such identifying characteristics.

IV. Procedure

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- A. All officers shall enforce the law and stop and detain persons when there is reasonable suspicion that the person has committed, is committing, or is about to commit an infraction of the law. Officers must conduct themselves in a respectful manner in any and all contact with the public and follow statutes and applicable case law.
1. Officers will apply non-escalation and de-escalation techniques throughout the contact.
 2. **Prohibition against profiling:** Officers are prohibited from stopping, questioning, detaining, searching, seizing property, seeking asset forfeiture, or arresting anyone based on any type of bias. Officers will make stops and conduct field interviews only based on reasonable suspicion and shall make arrests only based on probable cause.
 3. This policy shall not preclude officers from engaging in a consensual encounter or offering assistance to the public. This policy does not prohibit stopping someone suspected of a crime based on a description that includes one or more of those identified attributes or considering a person's apparent age when investigating crimes where age would be a factor such as a curfew or liquor law violations.
 4. When an officer has any nonconsensual encounter/contact with any person, (such as during a traffic stop, a suspicious person from a directed call, a field interview, or in the case of an arrest, the officer SHALL complete a [Contact Card, Form-10](#) (or [Contact Card, Form 10-A](#) if off-campus). All applicable checkboxes and fields shall be completed according to the [Contact Card Checklist, Form-10 B](#).
 - a. The intent, and the only purpose of the Contact Card, is to document UCPD's non-consensual encounters/contacts with any person.
 - b. A Contact Card is required when an officer stops/detains a person, or while with another agency, collectively participates in a stop/detention.
 5. Contact Card submission
 - a. The submitting officer will:
 - 1) Complete and sign the contact card
 - 2) Complete a contact card report regarding the stop
 - 2) The contact card report will be submitted to a supervisor at the end of each shift or detail
 - b. The approving supervisor will:
 - 1) Review the contact card for accuracy, completeness, and thoroughness.
 - 2) Sign the contact card
 - 3) Submit to the 1st shift Lieutenant or designee for final approval
 - c. The 1st shift Lieutenant or designee will:
 - 1) Review the contact card for accuracy, completeness, and thoroughness.
 - 2) Sign the contact card
 - 3) Submit to the Records Manager to be entered into the database
- B. Bias-free policing training:
1. The agency will provide initial bias-free policing training to new officers and continuing education training annually thereafter. In addition, officers will receive training in professional stops.

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- C. Bias-based profiling corrective measures: The Police Chief or his or her designee will be notified as soon as practical of any complaints of discrimination and/or violations of civil rights. The Police Chief or his or her designee will notify the Director of Public Safety as soon as practical of any complaints of discrimination and/or violations of civil rights. Upon completion of the investigation of a complaint of this nature, the Director of Public Safety shall review the investigation to ensure it was conducted following established protocols for such investigations. The results of the review will be documented by the Director of Public Safety, and a copy will be kept in the complaint file.
1. All complaints will be thoroughly investigated and, if sustained, shall result in a recommendation for corrective action, including, but not limited to, counseling, training, punitive actions, and/or policy review and revision.
 2. Any person may file a complaint with the Division if they feel they have been stopped or searched based on illegal profiling, or subjected to improper treatment, and no person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because they have filed such a complaint.
- D. Administrative review of agency practices:
1. Supervisory personnel will monitor officers' activities through daily operational oversight, report and document review, BWC, In-Car camera reviews, and any other performance or conduct measures to ensure actions are compliant with policy, statutes, and the constitution, and are bias-free.
 2. Quarterly, supervisors will conduct a comprehensive review of their direct reports to include, but not limited to, traffic stops, suspicious persons, field contacts, and arrest data, in addition to Guardian Tracking System entries from the previous quarter to ensure compliance with this policy and to determine any abnormalities in the officer's performance or conduct. The review will be documented utilizing the Quarterly Evaluation in Guardian Tracking. The quarterly evaluation will be submitted for review by the chain of command. Any abnormalities discovered during the review will be reported to the chain of command via Internal Correspondence Memo, Form-5. These abnormalities will be reviewed by the Police Chief, and any sustained findings of biased policing will be reported to the Director of Public Safety. In addition, the Command Staff will supplement the supervisor's quarterly reviews with a quarterly meeting to review the contact card data and reports. The Support Services Bureau Commander will schedule quarterly meetings in January, April, July, and October to review the data from the previous three months.
 3. The Support Services Bureau Commander will conduct an annual administrative review utilizing the information identified in Section D.2. The Police Division will analyze this data to ensure compliance with our philosophy of bias-free policing. Where identified, individual or departmental corrective action may be warranted through developmental and training practices or policy revision.
 - a. The review of data is intended to identify patterns of conduct, by individual officers as well as the entire agency, and will include an analysis of percentages of minorities or other protected classes; the reason(s) for contact; dispositions of the contacts; and other factors as may be identified by the administration to include any racial profiling or discrimination complaints.

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- b. This administrative review will be submitted to the Police Chief and/or the Director of Public Safety for review, acknowledgment, and approval in writing of any recommendations.
- c. The administrative review will be made available to the public upon request.