POLICY AND PROCEDURE NO. 211

Bias-Free Policing

Massachusetts Police Accreditation Standards:
41.4.0

Date Issued: August 27, 2025
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1. PURPOSE:

This Department is committed to protecting the constitutional and civil rights of all citizens. Discriminatory practices that consider a person's race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level, real or perceived, are detrimental to the relationship between police and the communities they protect and serve, because they strike at the basic foundation of public trust. This trust is essential to effective community based policing. Biased policing is illegal and an ineffective method of law enforcement. Biased policing results in increased safety risks to citizens and officers. Additionally, such improper methods violate the civil rights of members of the public and may lead to increased exposure to liability. This Department does not endorse, train, teach, support or condone any type of bias, stereotyping or racial and gender profiling by its officers. While recognizing that most officers perform their duties in a professional, ethical and impartial manner, this Department is committed to identifying and eliminating any instances of biased policing that contribute to systemic racism.

2. DEFINITIONS:

A. Bias-Free Policing

The decisions and conduct of law enforcement officers shall not take into consideration a person's race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level.

This definition shall not include decisions or conduct of law enforcement officers that:

1. Are based on a law enforcement purpose or reason which is non-discriminatory, or which justifies different treatment; or

2. Consider a person's race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level because such factors are an element of a crime.

B. Racial and Gender Profiling

The practice of detaining or stopping a suspect based on criteria which cast suspicion on an entire class of people without any individualized suspicion of the particular person being stopped.

C. Suspect Specific Incident

An incident in which an officer is lawfully attempting to detain, apprehend, or otherwise be on the lookout for one or more specific suspects who have been identified or described in part by national or ethnic origin, gender or race.

D. POST

The Massachusetts Peace Officer Standards and Training Commission consisting of nine (9) members vested with various powers to oversee police training and allegations of misconduct including, but not limited to, conduct involving allegations of bias.

E. MPTC

Municipal Police Training Committee.

3. POLICY:

It is the policy of the department to:

1. Provide Bias-Free Policing to all people within this community, consistent with constitutional and statutory mandates. MPAC 41.4.0

2. Assure the highest standard of integrity and ethics among all our members.

3. Give dignity and respect to the diversity and the cultural differences of all people.

4. Take positive steps to identify, prevent, and eliminate any instances of biased policing and racial or gender profiling by our members.

5. Continue our commitment to community policing and problem solving, lawful and nondiscriminatory unbiased investigations and traffic enforcement that promotes public safety and strengthens public trust, legitimacy, confidence, and awareness.

It is the policy of this department that, except in "suspect specific incidents," police officers are prohibited from considering the race, gender, national or ethnic origin of members of the public in deciding to detain a person or stop a motor vehicle, and in deciding upon the scope or substance of any law enforcement action.

Investigatory Note: Nothing in this policy is intended to prohibit or restrict an Officer's ability to consider certain protected characteristics in combination with specific and articulable facts to include, timely and distinct information connecting a person or a group of individuals of a specific characteristic to a specific unlawful incident(s), specific criminal pattern or a specific illegal scheme.

4. PROCEDURES:

A. Prevention of Biased Policing/Profiling

To prevent biased policing/profiling, this department shall:

1. Utilize the MPTC or other certified training programs to help ensure that all employees receive training on Bias-Free Policing practices and the standards established by this policy. MPAC 41.4.0

2. Ensure that this policy is read and understood by all officers and all supervisory personnel. MPAC 41.4.0

3. Train supervisory personnel to monitor police conduct to ensure that the standards of this policy are being carried out by employees under their supervision. MPAC 41.4.0

4. Review and, where appropriate, revise all procedures that contribute to biased policing and institutional racism to ensure that such procedures are in compliance with the provisions of the law and this policy.

5. Review all performance recognition and evaluation systems, training curricula, policies and customs of the department to determine if any practice encourages conduct that may support or lead to biased policing and biased profiling.

6. The Bureau of Professional Standards Commander shall conduct an annual administrative review of all agency practices related to bias-free policing. This review will assess the effectiveness of current policies and procedures, identify areas for improvement, and ensure compliance with legal and accreditation standards. MPAC 41.4.0

7. The Bureau of Professional Standards annual administrative review shall include a comprehensive analysis of all reported citizen concerns related to bias-based policing. This analysis will be used to identify patterns, address specific issues, and enhance community trust. MPAC 41.4.0

B. Identification of Biased Policing and Profiling

To assist in identifying instances or allegations of biased policing and profiling, this department shall:

1. Utilize complaint procedures to document and investigate allegations of biased policing or profiling filed with the department or made directly to the POST Commission.

2. Utilize procedures to identify patterns of unprofessional police conduct, including, but not limited to, patterns of conduct that are biased on the basis of race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level.

3. Any complaints of biased policing, including whether the Officer's conduct was allegedly biased on the basis of race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level, shall be reported to the POST Commission's Division of Police Standards by the Bureau of Professional Standards within two (2) days of receiving the complaint.

The POST Commission may, after a hearing, suspend or revoke an Officer's Certification if the Commission finds by the legal standard of clear and convincing evidence that the officer was biased on the basis of race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level in their conduct.

C. Enforcement of Biased Policing and Profiling Policy

To enforce the provisions of this policy, this Department shall:

1. Take the appropriate actions to address documented incidents or allegations of biased policing/profiling.

2. Utilize a system and approach of early intervention to enable and encourage an employee to undertake a voluntary modification of his or her conduct or performance.

3. Take the appropriate measures to correct any institutional practice, pattern or policy that has led to the utilization of any biased profiling practice. MPAC 41.4.0

4. In instances where bias-based policing is identified, the Department shall implement specific corrective measures, which may include but not limited to, additional training, disciplinary action, or policy revisions. These measures aim to prevent recurrence and uphold the integrity of the Department. MPAC 41.4.0

D. Civil Liability (Legal Statutory Right to Bias-Free Policing)

1. All persons shall have the legal right to Bias-Free Professional Policing as defined in this policy in Section 2 and as outlined in MGL Chapter 6E Section 10.

a. Any conduct taken in relation to an aggrieved person by a law enforcement officer acting under color of law that results in the Decertification of said law enforcement officer by the POST Commission pursuant to MGL Chapter 6E Section 10 shall constitute interference with said person's right to bias-free professional policing and shall be a prima facie violation of said person's right to bias-free professional policing and a prima facie violation of subsection (a).

b. No law enforcement officer shall be immune from civil liability for any conduct under color of law that violates a person's right to bias-free professional policing if said conduct results in the law enforcement officer's decertification by the POST Commission pursuant to MGL Chapter 6E Section 10.

c. Provided, however, that nothing noted herein shall be construed to grant immunity from civil liability to a law enforcement officer for interference by threat, intimidation or coercion, or attempted interference by threats, intimidation or coercion, with the exercise or enjoyment of any right secured by the constitution or laws of the United States or the constitution or laws of the Commonwealth if the conduct of said officer was knowingly unlawful or was not objectively reasonable.

2. Pursuant to Section 83 of the newly enacted Police Reform Legislation (An Act Relative to Justice, Equity, and Accountability in Law Enforcement in the Commonwealth), Section 63 of Chapter 90 of the MGLs, inserted by section 10 of Chapter 122 of the Acts of 2019, is hereby amended by adding the following subsection to the so-called "Hands Free / Data Collection Law." See CPD Training Bulletin 2021-01.

(h) A law enforcement agency, as defined in MGL Chapter 6E Section 1, shall not engage in racial or other profiling. The Attorney General may bring a civil action in the superior court for injunctive or other equitable relief to enforce this subsection. For the purposes of this subsection, "racial or other profiling" shall mean differential treatment by a law enforcement officer based on actual or perceived race, color, ethnicity, national origin, immigration or citizenship status, religion, gender, gender identity or sexual orientation in conducting a law enforcement action, whether intentional or evidenced by statistically-significant data showing disparate treatment.

Provided, however, that "racial or other profiling" shall not include the use of such characteristics, in combination with other factors, to apprehend a specific suspect based on a description that is individualized, timely and reliable.

3. The POST Commission shall have the power to refer patterns of racial profiling or the mishandling of complaints of unprofessional police conduct by a law enforcement agency for investigation and possible prosecution to the Attorney General or the appropriate federal, state or local authorities.

Provided, however, that if the Attorney General has reasonable cause to believe that such a pattern exists based on information received from any other source, the Attorney General may bring a civil action for injunctive or other appropriate equitable and declaratory relief to eliminate the pattern or practice.

5. SUPERVISOR RESPONSIBILITIES:

Supervisors should monitor those individuals under their command for compliance with this policy and shall report any alleged or observed violations to the Bureau of Professional Standards.

Supervisors shall always discuss any concerns with the involved Officer face to face – in private whenever possible – in a timely manner.

Supervisors shall take prompt and reasonable steps to address any retaliatory action that may be taken against any member of this Department who discloses information concerning any biased policing practice by another member.

6. TRAINING:

The Municipal Police Training Committee (MPTC), in consultation with the Executive Office of Public Safety and Security (EOPSS), shall establish and develop an In-Service Training Program designed to train local law enforcement officials in practices and procedures related to biased policing which shall include examining attitudes and stereotypes that affect the actions and decisions of law enforcement officers.

Law Enforcement Officers and non-sworn enforcement personnel shall receive initial training in Bias-Free Policing. Training will include legal aspects of bias-free policing. MPAC 41.4.0

Law Enforcement officers and non-sworn enforcement personnel shall receive annual training in Bias-Free Policing. Training will include legal aspects of bias-free policing. MPAC 41.4.0

Per:

Paul B. Saucier
Chief of Police

Revisions:

Revision 1–

Policy 601 Racial Profiling was integrated with this policy and then archived.

Revision 2–

Pg. 1 Deleted A. (policing, made by) B. (a broad set of); Inserted A. (Not).

Revision 3–

Updated Chief Sargent to Chief Saucier.

Revision 4–

Policy Title: Removed "and Profiling." MPAC 41.4.0: replaced "Fair and Impartial Policing" with "Bias-Free Policing" throughout. Added Bureau of Professional Standards annual administrative review of agency practices related to Bias-Free Policing (MPAC 41.4.0). Added annual review to include comprehensive analysis of citizen concerns related to bias-based policing (MPAC 41.4.0). Added corrective measures provision (MPAC 41.4.0). Added requirement for all agency personnel to receive initial basic training and yearly in-service training on Bias-Free Policing including legal aspects (MPAC 41.4.0).

April 4, 2026

Reformatted to ADA-compliant policy template (Policy 805 format). No substantive content changes.

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