

Department Policy

The Bellevue Police Department affirms its commitment to unbiased policing and to establish procedures that serve to ensure the community and Department employees that we are providing service and enforcing laws in a fair and equitable manner. The confidence and respect of the public for the Police Department are dependent on all members of the Police Department treating all people fairly and without prejudice.

The use of any bias in enforcement activities is detrimental to effective law enforcement and may lead to allegations of violations of Constitutional rights of the citizens we serve, undermine legitimate law enforcement efforts, and lead to claims of civil rights violations. Additionally, demonstrating bias alienates citizens, fosters distrust of law enforcement by the community and invites media scrutiny, legislative action and judicial intervention. The use of bias in the Department's law enforcement activities is strictly prohibited.

Race, ethnic background, gender, sexual orientation (including gender identity), religion, economic status, age, cultural group, disability, familial status, veteran status, or national origin will not be a motivating factor for conducting any law enforcement action including social contacts.

Law Enforcement Actions

All investigative detentions, traffic stops, arrests, searches, and seizures of property by officers will be based on a standard of reasonable suspicion or probable cause as required by the Fourth Amendment of the U.S. Constitution and Article I. Section 7 of the Washington State Constitution. Officers must be able to articulate specific facts, circumstances and conclusions which support probable cause or reasonable suspicion for the law enforcement action taken.

No person shall be singled out or treated differently as a consequence of their race, ethnic background, gender, sexual orientation (including gender identity), religion, economic status, age, cultural group, disability, familial status, veteran status, or national origin.

Except as provided below, Officers shall not;

- ❖ Consider race, ethnic background, gender, sexual orientation (including gender identity), religion, economic status, age, cultural group, disability, familial status, veteran status, or national origin in establishing either reasonable suspicion or probable cause
- ❖ Consider race, ethnic background, gender, sexual orientation (including gender identity), religion, economic status, age, cultural group, disability, familial status, veteran status, or national origin in deciding to initiate even those nonconsensual encounters that do not amount to legal detentions or to request consent to search
- ❖ Consider that a person rides a motorcycle or wears motorcycle-related paraphernalia as a factor in deciding to stop and question, take enforcement action, arrest, or search a person or vehicle with or without a legal basis under the United States Constitution or Washington State Constitution.

Race, ethnic background, gender, sexual orientation (including gender identity), religion, economic status, age, cultural group, disability, familial status, veteran status, national origin, or motorcycling can never be used as the sole basis for reasonable suspicion or probable cause, provided that officers may take into account the reported race, ethnic background, gender, sexual orientation (including gender identity), religion, economic status, age, cultural group, disability, familial status, veteran status, national origin, or motorcycling of a specific suspect or suspects when acting in good faith, based on credible or reliable information known to the officer at the time that links specific suspected unlawful activity to a particular individual in the same way they would use specific information regarding age, height, weight, etc., about specific suspects. Officers should articulate in their report the specific facts and circumstances that support their use of such characteristics/statuses in linking specific suspected unlawful activity to a particular individual.

In an effort to prevent perceptions of bias, officers shall utilize the following strategies when conducting contacts, investigative detentions, traffic stops, arrests, searches and seizures of property. Officers shall:

- ❖ Be courteous, polite and professional
- ❖ Introduce themselves and explain to the person the reason for the contact as soon as practical, unless providing this information will compromise the investigation or the safety of officers or other persons. In vehicle stops, this information should be provided before asking for their driver's license, vehicle registration, proof of insurance, or other identification
- ❖ Ensure that the length of the detention is no longer than necessary to take appropriate action for the known or suspected offense as well as any offense which is legitimately discovered during the course of the investigation
- ❖ Ensure that the purpose of reasonable delays is explained to the person(s) contacted.
- ❖ Answer any questions the citizen may have, including explaining options for the disposition of a traffic citation, if relevant.
- ❖ Provide name and badge number when requested, both verbally and in writing (as soon as practical).
- ❖ If the reasonable suspicion for the stop is dispelled or the stop was made in error, the officer will explain why the error was made and apologize for any inconvenience.
- ❖ Not express – verbally, in writing, or by other gesture – any prejudice or derogatory comments concerning discernable personal characteristics of an individual.

Training

Training shall be provided to all Department personnel on topics that can be associated with the practice of unbiased policing as the need is identified. Relevant topics can include, but are not limited to: Ethics, field contacts, traffic stops, search issues, asset seizure and forfeiture, interview techniques, cultural diversity, discrimination and legal issues that relate to these topics.

Review and Analysis

A documented annual review of bias based policing complaints will be done by the Office of Accountability. The Chief may assign a Command Staff employee to conduct a review and analysis to determine if there is any disparate impact to any of the above identified community groups or members. Resources for conducting the review are citations, FIRs, complaints and other Department documents that may indicate a bias based policing practice is occurring. Citizen concerns should also be considered when conducting the analysis.

Violations

Violations of this policy shall be investigated under the Department's Internal Discipline Procedure and, if sustained, shall result in disciplinary action consistent with the Department's progressive discipline policy. All personnel shall immediately report any incident of suspected bias based policing to their command officer who shall initiate an appropriate inquiry into the incident. Any complaint alleging bias will be investigated. All complaints alleging bias will be tracked by the Office of Accountability.