

Truro Police Department

BIASED BASED PROFILING

Policy Number: OPS-6.24
REFERENCE:

Effective Date: April 1, 2001
Revised Date: December 28, 2007

Accreditation Standards:1.2.9

Other: Motor Vehicle Citations, TPD Police OPS-6.12 Traffic et al;
Massachusetts Traffic Stop Date Collection Form

I. GENERAL CONSIDERATIONS AND GUIDELINES

The Truro Police Department is committed to protecting the constitutional and civil rights of all citizens. Allegations of biased based profiling or discriminatory practices, 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 based profiling are illegal and ineffective methods of law enforcement. Racial profiling results in increased safety risks to officers and citizens and the misuse of valuable police resources. Additionally, such improper methods violate the civil of the members of the public and may lead to increased exposure to liability. *(Revised December 28, 2007)*

The Truro Police Department does not endorse, train, teach, support or condone any type stereotyping or biased based profiling by their officers. While recognizing that most officers perform their duties in a professional, ethical, and impartial manner, our department is committed to identifying and eliminating any instances of biased based profiling. As such, biased based profiling is strictly prohibited. *(Revised December 28, 2007)*

II. MISSION STATEMENT

A. It is the policy of the Truro Police Department to:

- Provide all people within this community fair and impartial police services consistent with constitutional and statutory mandates;
- Assure the highest standard of integrity and ethics among all our members;
- Respect the diversity and the cultural differences of all people;
- Take positive steps to identify, prevent, and eliminate any instances of racial or gender profiling by our members; and
- Continue our commitment to community policing and problem solving, including vigorous, lawful and nondiscriminatory traffic enforcement that promotes public safety and strengthens public trust, confidence, and awareness.

III. DEFINITIONS

Biased based Profiling – Chapter 228 of the Acts of 2000 includes the following definition: the practice of detaining or stopping a suspect based on a broad set of criteria which cast suspicion on an entire class of people without any individualized suspicion of the particular person being stopped. *(Revised December 28, 2007)*

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.

IV. POLICY

It is the policy of the Truro Police 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, including all field and traffic contacts, and asset forfeiture or seizure efforts. *(Revised 10-25-05)*

V. PROCEDURES**A. Prevention of Profiling**

To prevent biased based profiling, the Truro Police Department shall: *(Revised December 28, 2007)*

1. Utilize the Massachusetts Police Training Committee or other certified training programs to help ensure that enforcement personnel receive training on biased based profiling issues, legal aspects and the standards established by this policy; *(Revised December 28, 2007)*
2. Ensure that this policy is disseminated to all Police Officers, Telecommunicators and civilian employees;
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;
4. Annually review and, where appropriate, revise all procedures that involve the stop, detention, apprehension or search of individuals to ensure that such procedures are in compliance with the provisions of the law and this policy; *(Revised 10-25-02)*
5. Annually 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 based profiling; *(Revised December 28, 2007)*
6. Educate the public, in conjunction with the Executive Office of Public Safety and the Registry of Motor Vehicles, on what to expect when either stopped or detained by a police officer, as well as police expectations during motor vehicle stops or police detainment, to ensure both officer and citizen safety.

B. Identification of Profiling

To identify instances and to take corrective measures of biased based profiling, the Truro Police Department shall: *(Revised December 28, 2007)*

1. Utilize appropriate and established citizen complaint procedures to document and investigate allegations of racial or gender profiling filed directly with the agency or referred through the Executive Office of Public Safety's statewide toll free complaint number;
2. Utilize procedures for the proactive review of performance, complaint and other employment information to assist supervisors in identifying and modifying potentially problematic behavior and to promote professionalism in this department;

Direct officers to collect data on race, gender and subsequent searches

C. Enforcement of Profiling Policy

To enforce the provisions of this policy and take corrective action, the Truro Police Department:

1. Take appropriate action to address documented incidents of biased based profiling; *(Revised December 28, 2007)*
2. Utilizing a system of intervention to enable or encourage an officer to undertake a voluntary modification of his or her conduct or performance; and
3. Take appropriate measures to correct any institutional practice or policy that has led to the use of biased based profiling. *(Revised December 28, 2007)*
4. The internal affairs officer shall coordinate all investigative activities pertaining to biased based complaints or incidents. *(Revised December 28, 2007)*

D. Data Collection Procedures, Forms, Duties

3. DATA COLLECTION FORM: Officers will fill out the Massachusetts Traffic Stop Data Collection Form when booking a motor vehicle crash, assisting an occupied disabled motor vehicle, investigating an occupied suspicious vehicle, issue a verbal warning, making an inquiry of a driver or passenger of a stopped motor vehicle regardless or whether or not the inquiry is a detention under constitutional law, conduct any motor vehicle search, including a search incidental to an arrest. A form is not needed on warning, complaint, arrest and criminal citation issued; however, the number of occupants in the vehicle will be recorded in the upper right hand corner of the Massachusetts Uniform Traffic Citation next to the citation number and circled. *(Revised June 25, 2005)*

- a. Data Collection Forms filled out as needed and described above will be forwarded the Telecommunicator who shall enter the information into the Vehicle Interaction Analysis field in the Pamet PoliceServer system. *(Revised June 25, 2005)*
 - b. The Telecommunicator shall then forward the form to the Administrative Assistant. *(Revised June 25, 2005)*
4. INPUT OF DATA: Telecommunicators will complete all data in the Vehicle Interaction Analysis on all written citations issued. *(Revised June 25, 2005)*
- a. Massachusetts Traffic Stop Data Collection Forms are located in the records room. Officers shall keep a supply of these forms at all times while on duty. *(Revised June 25, 2005)*
 - b. Officers will be trained on the proper procedures and completion of these forms. *(Revised June 25, 2005)*

E. Annual Review of Policy

- a. The Lieutenant shall conduct all annual administrative reviews of department policies, practices and agency practices and citizen concerns. This review is designed to reveal patterns or trends that may indicate the need for training, policy modification and/or corrective measures. The review will include such activities as traffic stops and contacts, field contacts, asset seizure and forfeiture efforts review will be conducted in June of each fiscal year. *(Revised December 28, 2007)*