

	<h1>Garner Police Department</h1> <h2>Written Directive</h2>	
	<b>Chapter:</b> 800 - Operations	
	<b>Directive:</b> 820.09 - Bias Free Policing	
<b>Authorized by:</b> Chief Brandon Zuidema		<b>Effective Date:</b> January 1, 2017
<b>CALEA Standards:</b> 1.2.9		<b>Last Revision:</b> October 1, 2015

### 820.9.1 – Purpose

This policy prohibits bias based profiling and establishes procedures to ensure that no law enforcement actions taken by members of the Garner Police Department are taken solely because of race, ethnicity, national origin, gender, sexual orientation, religion, economic status, age, cultural group, or other identifiable group.

### 820.9.2 – Policy (1.2.9)

The Garner Police Department is committed to preserving the peace and maintaining order in our community by practicing bias-free policing and respecting the rights and dignity of all. No employee of this Department shall engage in bias based profiling in any arrests, asset seizure / forfeiture efforts, field contacts, traffic stops, or any other action related to the performance of their duties.

### 820.9.3 – Procedure

- A. 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 statutory authority. Officers must be able to articulate specific facts, circumstances and conclusions that support probable cause or reasonable suspicion for an arrest, traffic stop, or investigative detention.
  - 1. Officers will maintain professionalism, integrity, and accountability in all contacts with the public in order to continue to enhance the trust of the community. Policing based on biases alone is inconsistent with the mission and values of the Garner Police Department, and is therefore prohibited.
  - 2. Officers may take into account the race, ethnicity, national origin, gender, sexual orientation, religion, economic status, age, cultural group, or other group affiliation of a specific suspect or suspects based on credible, reliable, locally-relevant information that links a person to a particular criminal incident or links a specific series of crimes in an area to a group of individuals based on any group affiliation.
- B. Officers of the Garner Police Department shall not attempt to equalize law enforcement actions among groups. Some disparity in law enforcement contacts is normal according to place and type of assignment.

### 820.9.4 – Data Collection

- A. Any officer conducting a traffic stop for any Chapter 20 violation shall record all the data required by the State of North Carolina under the authority of [N.C.G.S. 114-10.1](#) for that stop. The data shall be recorded through the Department's Records Management System or, if necessary, on the State Bureau of Investigation's [Traffic Stop Report form \(SBI form 122\)](#) or on the Department's [Multiple Traffic Stop Report form \(GPD form 820.9-A\)](#).

- B. The Criminal Records Clerks submit data on any reported hate crimes as part of their routine UCR data reporting.

#### **820.9.5 – Supervisory Responsibilities (1.2.9)**

- A. The Administrative Bureau Captain shall conduct quarterly reviews for all sworn personnel to ensure that the necessary data for all [Chapter 20](#) violation vehicle stops is being submitted. Any deviation from policy will be referred to the involved employee's immediate supervisor for review and appropriate action.
- B. Department supervisors shall monitor the performance of their employees for other actions or inactions that demonstrate any bias in violation of this policy.
- C. Suspected violations of this directive, whether identified by a supervisor or through a citizen complaint, shall be handled as a complaint investigation using procedures outlined in [GPD directive 320.01 – Complaint Investigation](#).
- D. Clear, intentional violations of this policy shall be the subject of disciplinary action by the Chief of Police, up to and including termination of employment.

#### **820.9.6 – Mandatory Training (1.2.9)**

All employees of the Garner Police Department shall attend training on this policy as ordered by the Chief of Police. This training shall include, but is not limited to, defining and identifying bias, implicit-bias, avoiding bias in work-related situations, and the legal aspects of bias-based policing.

#### **820.9.7 – Administrative Review and Corrective Measures (1.2.9)**

- A. The Administrative Bureau Captain will conduct an annual review of traffic stop data and bias based policing complaints. The review will minimally include the following information for the prior calendar year:
  - 1. An analysis of citizen complaints and/or comments received regarding bias-based policing;
  - 2. An overview of training conducted; and
  - 3. Recommendations for any changes in procedures and practices deemed appropriate.
- B. The Bureau Captains shall meet with all appropriate supervisors at least annually to discuss the annual review and to present any areas of concern. Indicators of possible bias include evaluation of citizen complaints of intentional bias, discourtesy complaints, improper use or threatened use of force incidents, intentional failure to comply with the documentation requirements of this policy, false documentation, or improper arrests or searches.
- C. Additional training or counseling may be appropriate based on any incidents that suggest bias.