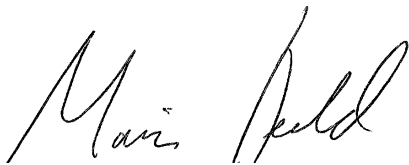


**Department of Public Safety
Police Division
Policies and Procedures**

Title: Bias Free Policing

SOP Number: 4.1.300

Approval Signature: Chief Maris Herold

A handwritten signature in black ink that reads "Maris Herold". The signature is written in a cursive style with a large initial "M" and "H".

Reviewed/Revised by: N/A

Number of Pages: 5

Last Revision Date: June 17, 2019

Effective Date: May 18, 2016

Bias Free Policing

I. Purpose

The purpose of this policy is to emphasize this 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 however 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, socio-economic status, religion, immigration status, and/or age except when a description of a suspect includes such identifying characteristic.

Illegal profiling: Unequal treatment of any person including stopping, questioning, detention or arrest on the basis of 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,

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sexual orientation, socio-economic status, religion, immigration status, and/or age, except when a description of a suspect includes such identifying characteristic.

IV. Procedure

- 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 in accordance with statute 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 on the basis of any type of bias. Officers will make stops and conduct field interviews only on the basis of reasonable suspicion, and shall make arrests only on the basis of 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 curfew or liquor law violations.
 4. When an officer has any nonconsensual encounter/contact with any person, (such as on 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 encounter/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 an ARMS contact card report regarding the stop
 - 2) The contact card ARMS 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 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

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- B. Bias-free policing training:
 - 1. The agency will provide initial bias free policing training to new officers and continuing education training biennially thereafter. In addition, officers will receive training in professional stops.

- 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 in accordance with 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 and In-Car camera reviews, and any other performance or conduct measures to ensure actions are compliant with policy, statutes, constitution, and are bias free.
 - 2. By the 5th day of each month, supervisors will conduct a comprehensive review for their direct reports to include, but not limited to: traffic stop, suspicious person, field contacts and arrest data, in addition to Guardian Tracking System entries from the previous month to ensure compliance with this policy and to determine any abnormalities in officer's performance or conduct. The review will be documented utilizing the Monthly Evaluation in Guardian Tracking. The monthly 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. The Police Chief will conduct his or her own review of these data and will report any sustained finding of potentially biased policing to the Director of Public Safety.
 - 3. The Standards & Strategic Development Bureau Commander will conduct a semiannual 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 analysis of percentages of minorities or other protected classes; reason(s) for contact; dispositions of the

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contacts; and other factors as may be identified by the administration to include any racial profiling or discrimination complaints.

- b. This administrative review will be submitted to the Police Chief for review and approval of any recommendations.
- c. The administrative review will be made available to the public upon request.