

<b>Directive</b>	<b>Bias Based Profiling</b>	<b>100-5</b>	<b>1 of 3</b>
<b>Effective Date</b>	<b>November 30, 2009</b>		



## **Wilkesboro Police Department**

### **Electronic Written Directives Document**

#### **I. PURPOSE**

This policy establishes the procedures for dealing with biased based profiling and the reporting and training requirements that have been established by the Wilkesboro Police Department.

#### **II. POLICY**

- A. In the absence of a specific report, race, national origin, citizenship, religion, ethnicity, age, or gender of an individual shall not be the basis for traffic stops, field interview contacts, or the seizure of property for obtaining asset forfeiture on those properties, by any member of the Wilkesboro Police Department.
- B. In the absence of a specific report, race, national origin, citizenship, religion, ethnicity, age, or gender of an individual shall not be a factor in determining the existence of probable cause to place in custody or arrest an individual, or in constituting a reasonable and articulable suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigative stop of a motor vehicle.
- C. Stops or detentions based on race, national origin, citizenship, religion, ethnicity, age, gender or sexual orientation or any other prejudicial basis by any member of the Wilkesboro Police Department are prohibited unless they are seeking an individual with one or more of those identified attributes (such as age during a curfew or alcohol related investigation).
- D. The detention of any individual, which is not based on factors related to a violation of or investigation of a violation of federal law, North Carolina general statutes, Wilkesboro Town Ordinances, or any combination thereof is prohibited.
- E. No officer shall stop, detain, or search any person when such action is solely motivated by race, national origin, citizenship, religion, ethnicity, age, gender or sexual orientation.

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### III. DEFINITIONS

- A. Profiling is defined by the Americans for Effective Law Enforcement (AELE) as the interdiction, detention, arrest or other non-consensual treatment of an individual because of a characteristic or status.

### IV. TRAINING

- A. All sworn department personnel shall receive training at least annually on the harms of bias-based profiling and discrimination, including the review of this policy and legal aspects.
- B. Additional diversity and sensitivity training shall be designated for officers with sustained racial profiling or other sustained discrimination complaints filed against them.
- C. Appropriate sanctions shall be implemented for non-compliance of this policy, up to and including dismissal.
- D. Failure to report any observed or known violations of this policy by any police department employee shall result in disciplinary action.

### V. REPORTING

- A. The Wilkesboro Police Department will voluntarily comply with the collection of statistical data on traffic stops by completing the State Bureau of Investigation Traffic Stop Report (form SBI-122).
  - 1. The data will be submitted to the SBI. The State Statute 114-10(2a) excluded the department from reporting the data but the department will continue to submit data to the SBI in order to record statistics and trends related to biased based profiling within the department.
  - 2. All departmental personnel will receive and document all complaints of bias-based profiling and forward through the chain of command to the Chief of Police.
  - 3. The Chief of Police or designee shall conduct an investigation of any complaint of bias-based profiling or discriminatory practice received.
  - 4. All complaints and a record of the disposition or finding of any investigation shall be maintained in accordance with established department policy.

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5. The Chief of Police or designee shall serve as the community liaison for profiling and/or discrimination issues.
6. The community liaison shall meet as required, or requested by a particular group member, or with members of groups affected by this policy.
7. The community liaison shall review all complaints of profiling and/or discrimination to determine if additional follow-up or remedial action is required.
8. Annually, the Professional Standards Unit shall prepare a summary report and disseminate copies to the Chief of Police, Division Captains and all Patrol Lieutenants.
9. The annual summary report shall include but is not be limited to:
  - A. Number of total traffic stops;
  - B. Listing each complaint and an explanation of any action(s) taken;
  - C. Any citizen concerns and suggested resolutions;
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## VI. REFERENCES

CALEA 1.2.9

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6. The community liaison shall meet as required, or requested by a particular group member, or with members of groups affected by this policy.
7. The community liaison shall review all complaints of profiling and/or discrimination to determine if additional follow-up or remedial action is required.
8. Annually, the Professional Standards Unit shall prepare a summary report and disseminate copies to the Chief of Police, Division Captains and all Patrol Lieutenants.
9. The annual summary report shall include but is not be limited to:
  - A. Number of total traffic stops;
  - B. Listing each complaint and an explanation of any action(s) taken;
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  - D. Recommended training needs;
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## VI. REFERENCES

CALEA 1.2.9

<b>Directive</b>	<b>Bias Based Profiling</b>	<b>100-5</b>	<b>1 of 3</b>
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## **Wilkesboro Police Department**

### **Electronic Written Directives Document**

#### I. PURPOSE

This policy establishes the procedures for dealing with biased based profiling and the reporting and training requirements that have been established by the Wilkesboro Police Department.

#### II. POLICY

- A. In the absence of a specific report, race, national origin, citizenship, religion, ethnicity, age, or gender of an individual shall not be the basis for traffic stops, field interview contacts, or the seizure of property for obtaining asset forfeiture on those properties, by any member of the Wilkesboro Police Department.
- B. In the absence of a specific report, race, national origin, citizenship, religion, ethnicity, age, or gender of an individual shall not be a factor in determining the existence of probable cause to place in custody or arrest an individual, or in constituting a reasonable and articulable suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigative stop of a motor vehicle.
- C. Stops or detentions based on race, national origin, citizenship, religion, ethnicity, age, gender or sexual orientation or any other prejudicial basis by any member of the Wilkesboro Police Department are prohibited unless they are seeking an individual with one or more of those identified attributes (such as age during a curfew or alcohol related investigation).
- D. The detention of any individual, which is not based on factors related to a violation of or investigation of a violation of federal law, North Carolina general statutes, Wilkesboro Town Ordinances, or any combination thereof is prohibited.
- E. No officer shall stop, detain, or search any person when such action is solely motivated by race, national origin, citizenship, religion, ethnicity, age, gender or sexual orientation.

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<b>Effective Date</b>	<b>November 30, 2009</b>		

### III. DEFINITIONS

- A. Profiling is defined by the Americans for Effective Law Enforcement (AELE) as the interdiction, detention, arrest or other non-consensual treatment of an individual because of a characteristic or status.

### IV. TRAINING

- A. All sworn department personnel shall receive training at least annually on the harms of bias-based profiling and discrimination, including the review of this policy and legal aspects.
- B. Additional diversity and sensitivity training shall be designated for officers with sustained racial profiling or other sustained discrimination complaints filed against them.
- C. Appropriate sanctions shall be implemented for non-compliance of this policy, up to and including dismissal.
- D. Failure to report any observed or known violations of this policy by any police department employee shall result in disciplinary action.

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  2. All departmental personnel will receive and document all complaints of bias-based profiling and forward through the chain of command to the Chief of Police.
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5. The Chief of Police or designee shall serve as the community liaison for profiling and/or discrimination issues.
6. The community liaison shall meet as required, or requested by a particular group member, or with members of groups affected by this policy.
7. The community liaison shall review all complaints of profiling and/or discrimination to determine if additional follow-up or remedial action is required.
8. Annually, the Professional Standards Unit shall prepare a summary report and disseminate copies to the Chief of Police, Division Captains and all Patrol Lieutenants.
9. The annual summary report shall include but is not be limited to:
  - A. Number of total traffic stops;
  - B. Listing each complaint and an explanation of any action(s) taken;
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### **Electronic Written Directives Document**

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### III. DEFINITIONS

- A. Profiling is defined by the Americans for Effective Law Enforcement (AELE) as the interdiction, detention, arrest or other non-consensual treatment of an individual because of a characteristic or status.

### IV. TRAINING

- A. All sworn department personnel shall receive training at least annually on the harms of bias-based profiling and discrimination, including the review of this policy and legal aspects.
- B. Additional diversity and sensitivity training shall be designated for officers with sustained racial profiling or other sustained discrimination complaints filed against them.
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- A. Profiling is defined by the Americans for Effective Law Enforcement (AELE) as the interdiction, detention, arrest or other non-consensual treatment of an individual because of a characteristic or status.

### IV. TRAINING

- A. All sworn department personnel shall receive training at least annually on the harms of bias-based profiling and discrimination, including the review of this policy and legal aspects.
- B. Additional diversity and sensitivity training shall be designated for officers with sustained racial profiling or other sustained discrimination complaints filed against them.
- C. Appropriate sanctions shall be implemented for non-compliance of this policy, up to and including dismissal.
- D. Failure to report any observed or known violations of this policy by any police department employee shall result in disciplinary action.

### V. REPORTING

- A. The Wilkesboro Police Department will voluntarily comply with the collection of statistical data on traffic stops by completing the State Bureau of Investigation Traffic Stop Report (form SBI-122).
  - 1. The data will be submitted to the SBI. The State Statute 114-10(2a) excluded the department from reporting the data but the department will continue to submit data to the SBI in order to record statistics and trends related to biased based profiling within the department.
  - 2. All departmental personnel will receive and document all complaints of bias-based profiling and forward through the chain of command to the Chief of Police.
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5. The Chief of Police or designee shall serve as the community liaison for profiling and/or discrimination issues.
6. The community liaison shall meet as required, or requested by a particular group member, or with members of groups affected by this policy.
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8. Annually, the Professional Standards Unit shall prepare a summary report and disseminate copies to the Chief of Police, Division Captains and all Patrol Lieutenants.
9. The annual summary report shall include but is not be limited to:
  - A. Number of total traffic stops;
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## VI. REFERENCES

CALEA 1.2.9

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<b>Effective Date</b>	<b>November 30, 2009</b>		



## **Wilkesboro Police Department**

### **Electronic Written Directives Document**

#### **I. PURPOSE**

This policy establishes the procedures for dealing with biased based profiling and the reporting and training requirements that have been established by the Wilkesboro Police Department.

#### **II. POLICY**

- A. In the absence of a specific report, race, national origin, citizenship, religion, ethnicity, age, or gender of an individual shall not be the basis for traffic stops, field interview contacts, or the seizure of property for obtaining asset forfeiture on those properties, by any member of the Wilkesboro Police Department.
- B. In the absence of a specific report, race, national origin, citizenship, religion, ethnicity, age, or gender of an individual shall not be a factor in determining the existence of probable cause to place in custody or arrest an individual, or in constituting a reasonable and articulable suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigative stop of a motor vehicle.
- C. Stops or detentions based on race, national origin, citizenship, religion, ethnicity, age, gender or sexual orientation or any other prejudicial basis by any member of the Wilkesboro Police Department are prohibited unless they are seeking an individual with one or more of those identified attributes (such as age during a curfew or alcohol related investigation).
- D. The detention of any individual, which is not based on factors related to a violation of or investigation of a violation of federal law, North Carolina general statutes, Wilkesboro Town Ordinances, or any combination thereof is prohibited.
- E. No officer shall stop, detain, or search any person when such action is solely motivated by race, national origin, citizenship, religion, ethnicity, age, gender or sexual orientation.

<b>Directive</b>	<b>Biased Based Profiling</b>	<b>100-5</b>	<b>2 of 3</b>
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