FORT ATKINSON POLICE DEPARTMENT POLICY	TITLE: **Unbiased Policing**		
ISSUE DATE: 11-01-14	LAST UPDATE: 11-01-14	SECTION: Operational	FILE NAME: Unbiased Policing
POLICY SOURCE: Chief of Police			TOTAL PAGES: 4
SPECIAL INSTRUCTIONS:			

I. PURPOSE

The purpose of this policy is to emphasize the Fort Atkinson Police Department's commitment to unbiased, equitable treatment of all people in enforcing the law and providing police services. This Department is committed to unbiased policing and to reinforcing procedures that ensure that police service and law enforcement is provided in a fair and equitable manner to all.

II. POLICY

Maintenance of public trust and confidence in the police profession is critical to effective policing and is achieved largely through fair and equitable treatment of the public. This is a basic requirement of law enforcement and the right of all people in our society. All people having contact with members of this department shall be treated in a nonpartisan, fair, equitable, and objective manner, in accordance with law, and without consideration of individual characteristics or distinctions as defined in this policy.

Officers must act within the limits of their authority as defined by law and judicial interpretation, thereby ensuring that the constitutional rights of individuals and the public are protected. Officers shall provide fair and impartial law enforcement to all citizens. Officers shall be faithful to their oath of office, strive to uphold the principles of professional police service, and advance the mission of the Department through providing fair and unbiased police services.

III. DEFINITIONS

Biased Policing: Discrimination in the performance of law enforcement duties or delivery of police services, based on personal prejudices or partiality of officers that interferes with their professional judgment, or training, departmental policy, or adherence to law.

Bias-based policing – also referred to in some instances as “profiling” – includes but is not limited to prejudicial decisions affecting individuals in classes protected by federal and state law. It also includes, for example, persons with whom officers have such “personal involvement” that they cannot act impartially, as defined herein.

Equal Treatment: In the present context, equal treatment means that people, irrespective of race or other distinction, shall be treated in the same basic manner under the same or similar circumstances. This does not mean that all people in the same or similar circumstances can or must be treated identically in all cases. Reasonable concessions and accommodations may be, and sometimes should be made, when dealing with individuals with physical or mental disabilities, injury, illness, infirmity, or similar conditions, or when information about them necessitates different treatment.

Police Service Functions: Sometimes referred to as community caretaking functions, these are actions and activities that may not directly include enforcement of the law but that contribute to the overall well-being and safety of the public. These include but are not limited to such tasks as assistance at fire scenes, traffic accidents, and medical emergencies, lifesaving services, crime prevention, preventative patrol, traffic control, public information, education, assistance, and similar activities.

IV. SCOPE

This policy applies to all agency employees.

V. PROCEDURES

A. Fair and Equal Treatment
    1. Bias-based policing is prohibited both in enforcement of the law and delivery of police services.
    2. Officers may not use race, ethnic background, gender, gender identity, sexual orientation, religion, economic status, age, or cultural group as the sole criteria for determining when or how to take enforcement action or provide police services.
    3. Officers must be able to articulate specific facts and inferences drawn from those facts that establish reasonable suspicion or probable cause to take any enforcement action.
    4. Officers shall take equivalent enforcement actions and provide equivalent services to all persons in the same or similar circumstances.

5. Officers who cannot make objective judgments uninfluenced by prejudicial views or attitudes, intolerance to or preference for certain individuals that are unrelated to the situation at hand shall, as soon as reasonably possible, request that another officer assume responsibility for the matter.
6. Unless exigent circumstances exist, officers shall not engage in a law enforcement matter when it involves a family member, friend, or relative such that the officer's objectivity may be, or may appear to be, compromised.
7. Officers who are personally involved in enforcement actions shall summon other officers for assistance or intervention where reasonably possible.
8. Nothing in this policy prohibits officers from using the traits and characteristics of persons, such as race, ethnicity, or national origin in combination with other facts to assist in establishing reasonable suspicion or probable cause, in the same manner that officers would use hair color, height, weight, or gender for such purposes.

B. Professionalism in Unbiased Policing:
In an effort to prevent perceptions of biased law enforcement, officers shall utilize the following practices when conducting citizen contacts, pedestrian, and vehicle stops.

1. Be courteous, respectful, polite, and professional.
2. Introduce or identify themselves to the citizen and explain the reason for the contact as soon as practical, unless providing this information will compromise the safety of officers or other people.
3. Ensure that the length of the detention is no longer than necessary to take appropriate action for the known or suspected offense.
4. Attempt to answer any relevant questions that the citizen may have regarding the citizen/officer contact, including relevant referrals to other city or county agencies when appropriate.
5. Provide name and badge number when requested, preferably in writing or on a business card.
6. Explain and/or apologize if you determine that the reasonable suspicion was unfounded (e.g. after an investigatory stop).
7. If asked, provide the procedures for filing a complaint about police services or conduct.

C. Complaints
1. The department takes seriously allegations of bias-based policing. Officers who witness or who are aware of instances of bias-based policing shall report the incident to their supervisor.
2. The Chief of Police shall be provided with information on complaints of bias-based policing for administrative review, problem identification, and development of appropriate corrective actions or punishment.

D. Training

1. All officers will receive basic training, and where deemed necessary, remedial training as defined by the Chief of Police or his/her designee on subjects related to police ethics, cultural diversity, police-citizen interaction, standards of conduct, conducting motor vehicle stops, professional communications, and related topics suitable for preventing incidents of biased policing.

This policy and procedure is to be used in conjunction with all relevant existing Fort Atkinson Police Department policies, procedures, rules and regulations in such a manner as to further the pursuit of the department mission, vision, and goals.

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Adrian Bump Date
Chief of Police