

<b>GENERAL ORDER</b>		SERIES	NUMBER	EFFECTIVE DATE
<small>SUBJECT</small>  <b>UNBIASED POLICING POLICY</b>		<small>DISTRIBUTION</small> <b>All Personnel</b>		
		<small>ORIGINATING UNIT</small>		

**I. PURPOSE**

The purpose of this General Order is to reaffirm the Claremont Police Department’s commitment to unbiased policing, to clarify the circumstances in which officers can consider race, ethnicity, national origin, religion, age, gender, gender identity or sexual orientation, socio-economic status and disability when making law enforcement decisions, and to reinforce procedures that serve to assure the public that we are providing service and enforcing laws in an equitable way.

**II. POLICY**

- A. It is the policy of the Claremont Police Department that all police-initiated actions, which includes all investigative detentions, traffic stops, arrests, searches and seizures of persons and/or property by officers, shall 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, as well as equal protection of laws required by the Fourteenth Amendment of the U.S. Constitution. Officers must be able to articulate specific facts, circumstances and conclusions, which support probable cause or reasonable suspicion for the arrest, investigative detention, search, or traffic stop. Except as provided in II C, officers shall not consider race, ethnicity, national origin, religion, age, gender, gender identity or sexual orientation in establishing either reasonable suspicion or probable cause, or as a basis for requesting consent to search.
  
- B. Except as provided below, officers shall not consider race or ethnicity in establishing either reasonable suspicion or probable cause. Similarly, except as provided below, officers shall not consider race, ethnicity, national origin, religion, age, gender, gender identity or sexual orientation, socio-economic status and disability in deciding to initiate either consensual encounters or nonconsensual encounters.
  
- C. Officers may take into account the reported race, age, gender, ethnicity or national origin of a specific suspect or suspects in the same way they would use specific information regarding age, height, weight, etc., about specific suspects.

**III. DEFINITION**

Profiling: Any police-initiated action that relies on the race, ethnicity or national origin, gender, sexual orientation, gender identity, religion, socio-economic status, or disability, rather than the behavior of an individual or information that leads the police to a particular individual who has been identified as being or having been engaged in criminal activity.

#### **IV. PROCEDURE**

##### **A. Officer Responsibility**

1. Sworn personnel are prohibited from using the race, ethnicity, gender, sexual orientation, religion, socio-economic status, or disability of a person as the sole reason for stopping a vehicle, issuing a citation, making an arrest, conducting a field interview, detaining for investigative purposes, seizing assets, seeking asset forfeiture, or conducting a search. All investigatory detentions, traffic stops, arrests, searches and seizures shall be based upon the standard of reasonable suspicion or probable cause as required by the Fourth Amendment to the U. S. Constitution and state statutes.
2. Sworn personnel shall treat all citizens with courtesy and respect when making contact. Officers are forbidden from using language or displaying symbols and gestures that are commonly viewed as offensive to, or are indicative of bias towards any group.
3. All persons stopped by an officer shall be provided with an explanation for why they were stopped, unless disclosure of such information would undermine an investigation or jeopardize the officer's safety. Motorists are entitled to a verbal explanation or written documentation of the stop (e.g. citation or a verbal warning). Providing citizens with an explanation for why they were stopped fosters better relations with the community and reduces the perception of bias on the part of the police. Nothing in this section shall limit an officer's ability to interview witnesses or discourage routine conversations with citizens not suspected of an offense.

##### **B. Supervision and Accountability**

Supervisors shall ensure that all personnel in their command are familiar with the content of this policy and are operating in compliance with it. This supervisory responsibility includes monitoring employee compliance with the expectations, determining if noncompliance is intentional or because of a lack of training and initiating the appropriate corrective or disciplinary action, if noncompliance is for a reason other than lack of training.

**C. Training**

1. All sworn members of this department will be scheduled to attend POST-approved training on the subject of “bias based policing” (racial profiling).
2. The Community Services Bureau shall coordinate additional training with all personnel on subjects that include, but are not limited to, profiling, cultural diversity, interaction with citizens, policy, and ethics. Training may be conducted through in-service, special courses, or shift briefing training. Participation in training shall be documented and recorded in each members training record.

**ROY A. BROWN**  
Chief of Police