

Bias-Free Policing

401.1 PURPOSE AND SCOPE

To define and prohibit biased-based policing in all forms.

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based Policing - Synonymous with “discriminatory policing” and means selective enforcement or non-enforcement of the law, including the selecting or rejecting of particular policing tactics or strategies, based upon an individual’s race, ethnicity, national origin, age, gender, religion, disability, status as a victim of domestic violence, English language proficiency, economic status, sexual orientation, or gender identity or expression. Biased-based policing does not mean using any trustworthy information, relevant to the locality and time frame, to identify a person of a particular race, ethnicity, national origin, age, gender, religion, disability, status as a victim of domestic violence, English language proficiency, economic status, sexual orientation, or gender identity in a reliable and recent suspect-specific description.

Routine or Spontaneous Law Enforcement Activities - Actions taken by members of the Department in the course of official duties, such as:

- (a) Vehicle stops and searches
- (b) Pedestrian stops and questioning
- (c) Frisks and bodily searches
- (d) Consensual and non-consensual searches of persons or property
- (e) Detentions, arrests or issuance of summonses

401.2 POLICY

It is the policy of the Suffolk County Police Department to uphold and ensure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 (Title VI) and related non-discrimination authorities as identified in the Federal Motor Carrier Safety Administration (FMCSA) Title VI Program Assurance signed annually by the Police Commissioner. These authorities require that no person shall be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Department program or activity based on an individual’s race, ethnicity, national origin, age, gender, religion, disability, status as a victim of domestic violence, English language proficiency, economic status, sexual orientation, or gender identity or expression. All officers conducting enforcement activities will comply with [Suffolk County’s Standard Operating Procedure B-07](#) dated July 31, 2020.

401.3 BIAS-BASED POLICING PROHIBITED

Members are prohibited from engaging in bias-based policing.

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- (a) Members shall not use race, ethnicity, national origin, age, gender, religion, disability, status as a victim of domestic violence, English language proficiency, economic status, sexual orientation, or gender identity when engaging in routine or spontaneous law enforcement activities, except when engaging in appropriate suspect-specific activity to identify a particular person or persons.
- (b) Members shall take no action, nor make any decision, based upon a motive influenced by bias, prejudice or discriminatory intent.
- (c) The Department has adopted a Public Notice of Title VI Program Rights that informs the public of Suffolk County's Title VI program assurances and responsibilities. This Public Notice of Title VI Program Rights is posted for public access at this link: <https://suffolkpd.org/> and scroll to the bottom of the page. Click on "Information and Policies" and go to "SCPD Nondiscrimination Plan". Complaints received from members of the Public (including drivers) will be disposed of according to the Service Discrimination Complaint Procedure contained within [Suffolk County's Standard Operating Procedure B-07](#), dated July 31, 2020.

Members who have engaged in, ignored or condoned biased-based policing shall be subject to discipline.

- (a) Members who have observed or are aware of other members who have engaged in bias-based policing shall immediately report such conduct to a supervisor.
- (b) Supervisors receiving notification that a member has engaged in bias-based policing shall report such conduct to the Internal Affairs Bureau in accordance with the Personnel Complaints Policy.
- (c) Internal Affairs investigators shall investigate all allegations of bias-based policing in accordance with the Personnel Complaints policy.

No member shall retaliate against any person who reports or provides any information regarding an act of bias-based policing committed by any other member.

401.4 PROCEDURE

When engaging in routine or spontaneous law enforcement activities, members should:

- (a) Assess situations before initiating individual contact only by objectively evaluating indicators of potential criminal activity and/or suspect specific characteristics.
- (b) Once individual contact is initiated, members should:
 - 1. Willingly share the reason for the stop or detention, unless doing so would compromise officer safety or the safety of the public.
 - 2. Make decisions regarding subsequent courses of action based upon an objective assessment of the circumstances.
 - 3. Ensure that detentions take no longer than is reasonable for the known or suspected offense or incident.

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- (c) After individual contact has ceased, members should follow standard reporting practices as outlined in the Policy Manual and its associated procedures, including the receipt, notification and referral of any complaints.

401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

When documenting a contact, (e.g., arrest report, Intelligence Debriefing Worksheet (PDCS-1206), the involved officer should include those facts giving rise to the contact.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 REPORTING TRAFFIC STOPS

Each time an officer makes a traffic stop, the officer shall report any information as required in the Traffic Policy.

401.4.3 REPORTING PEDESTRIAN AND BICYCLIST STOPS

The Contacts and Temporary Detentions Policy provides specific direction as to when officers are required to report pedestrian/bicyclist stops or searches into the online Pedestrian/Bicyclist Data Collection Program (P-Stop).

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

401.6 ADMINISTRATION

The Police Commissioner or designee should periodically review the efforts of the Department to provide fair and objective policing to identify any changes in training or operations that should be made to improve service.

401.7 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Commanding Officer of the Police Academy Bureau.

The Department provides Title VI program-related training to personnel conducting traffic enforcement, compliance reviews and safety audit activities, including the adherence to FMCSA Enforcement Memorandum regarding English Language Proficiency Services versus Limited English Proficiency Services (MC-ECE-2016-006).

401.8 LANGUAGE ASSISTANCE RESOURCES FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS

Refer to the Limited English Proficiency Services Policy for more information.

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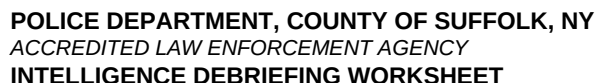
401.9 FORMS

Forms related to this policy include:

[Intelligence Debriefing Worksheet \(PDCS-1206b\)](#)

Attachments

Intelligence Deriefing Worksheet (PDCS-1206b).pdf



*Person Type: P=Person Interviewed C=Company of T=Target A=Arrestee O=Other

Background: ____ Criminal Intelligence Gang Database checked? ____ File 15 check done? ____ Other, CJIS Data (DMV Multiname check, etc.)

☐ Y ☐ N Subject on Parole? If yes, name of Parole Officer _____ **NOTIFIED** ☐ Y ☐ N

☐ Y ☐ N Subject on Probation? If yes, name of Probation Officer _____ **NOTIFIED** ☐ Y ☐ N

☐ Y ☐ N Is Subject a Registered Sex Offender?

☐ Y ☐ N Search of Person, Premise or Vehicle. If yes, note in Remarks section below.

COVER THE FOLLOWING TOPICS IN DEBRIEFING

Criminal Gangs	Wanted Persons	Hate Crimes	Drug Crimes	Sex Crimes	Graffiti	Buying, Selling, Possessing Guns
Stolen Property	Homicide	Burglaries	Robberies	ID Theft	Criminal Mischief	Current Criminal Patterns/Trends

Debriefing Officer: _____ Entered by: _____

CASE REFERRED TO: Command: Officer:

PDCS-1206b