

		Policy & Procedures				No. 1.41	
		Subject: Bias-Free Policing					
		Issuing Authority: Chief of Police			Effective Date: 12/03/14		Review Date: 01/21/2024
				Review Dates:			
Review							
Revision	01/17/2915	Revised:					
Reissued	09/13/2016	07/29/2021					
Dates:	11/12/2017						
	12/17/2020						
	11/15/2022						

CALEA STANDARDS 41.4.0

GENERAL CONSIDERATIONS AND GUIDELINES

The Canton Police Department is committed to practicing Bias-Free Policing.

Bias-Free Policing: Definition

Policing decisions made by and conduct of law enforcement officers that shall **not** consider a person's race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level.

This definition shall include policing decisions made by or conduct by law enforcement officers that:

1. Are based on law enforcement purpose or reason which is non-discriminatory, or which justifies different treatment; or
2. Consider a person's race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level because such factors are an element of a crime.

Biased based profiling is the selection of individuals based solely on a common trait of a group. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable groups. Department members are prohibited against **all** bias based profiling such as, but not limited to, profiling in traffic contacts, field contacts in addition to asset seizure and forfeiture efforts. **41.4.0 (3)**

The Canton Police Department is committed to bias-free policing; protecting the constitutional and civil rights of all citizens. Allegations of racially or otherwise bias based profiling or discriminatory practices, real or perceived, are detrimental to the relationship between police and the communities they protect and serve because they strike at the basic foundation of public trust. This trust is essential to effective community-based policing. Bias based profiling is illegal and is an ineffective method of law enforcement. Bias based profiling results in increased safety risks

to officers and citizens and in the misuse of valuable police resources. Additionally, such improper methods violate the civil rights of members of the public and may lead to an increased exposure to liability.

This Department does not endorse, train, teach, support nor condone any type of bias, stereotyping or racial and gender profiling by Canton Police Department employees. We are committed to identifying and eliminating any instances of bias based profiling while providing training and oversight to officers and employees as they perform their duties in a professional, ethical and impartial manner,

POLICY

I. It is the policy of this department to:

- A. Provide all people within this community fair and impartial police services consistent with constitutional and statutory mandates;
- B. Assure the highest standard of integrity and ethics among all of our members;
- C. Respect the diversity and the cultural differences of all people;
- D. Take positive steps to identify, prevent, and eliminate any instances of racial or gender profiling by our members; and
- E. Continue our commitment to community policing and problem solving, including vigorous, lawful and nondiscriminatory traffic enforcement that promotes public safety and strengthens public trust, confidence, and awareness.
- F. It is the policy of this department that, except in suspect specific incidents, police officers are prohibited from considering the race, ethnic background, gender, sexual orientation, religion, economic status, age, or cultural group of members of the public in deciding to detain a person or stop a motor vehicle and in deciding upon the scope or substance of any law enforcement action. Officers are also prohibited in biased based profiling in asset seizure and forfeiture efforts. **41.4.0**

II. DEFINITIONS

- A. **Racial or Other Profiling** - differential treatment by a law enforcement officer based on actual or perceived race, color, ethnicity, national origin, immigration or citizenship status, religion, gender, gender identity or sexual orientation in conducting a law enforcement action, whether intentional or evidenced by statistically-significant data showing disparate treatment; provided, however, that “racial or other profiling” shall not include the use of such characteristics, in combination with other factors, to apprehend a specific suspect based on a description that is individualized, timely and reliable.

- B. **Suspect Specific Incident:** An incident in which an officer is lawfully attempting to detain, apprehend, or otherwise be on the lookout for one or more specific suspects who have been identified or described in part by national or ethnic origin, gender or race.
- C. **Bias-Free Policing:** Policing decisions made by and conduct of law enforcement officers that shall not consider a person's race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level.

This definition shall include policing decisions made by or conduct of law enforcement officer that: (1) are based on a law enforcement purpose or reason which is non-discriminatory, or which justifies different treatment; or (2) consider a person's race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level because such factors are an element of a crime. **41.4.0 (3)**

III. PROCEDURES

- A. **Prevention of Profiling:** To ensure Bias Free Policing, the Canton Police Department shall:
 - 1. Utilize the Massachusetts Municipal Police Training Committee or other certified training programs to help ensure that all new full-time officers receive training on bias free policing as well as a thorough review of the standards established by this policy. **41.4.0 (2A)**
 - 2. Ensure all new non-sworn employees will be given initial training in bias-free policing as well as an annual training. **41.4.0 (2A,B)**
 - 3. Provide all full-time officers with annual training in bias-free policing. **41.4.0 (2B)**
 - 4. Criminal Law In-service training will also include training in the legal aspects of bias-free policing. **41.4.0 (2C)**
 - 5. Ensure that this policy is disseminated to all officers,
 - 6. Train supervisory personnel to monitor police conduct to ensure that employees under their supervision are carrying out the standards of this policy;
 - 7. Identify and counsel any employee not adhering to this policy. As a corrective measure, remedial training will be provided. **41.4.0 (2F)**

8. Review and, where appropriate, revise all procedures that involve the stop, detention, apprehension or search of individuals to ensure that such procedures are in compliance with the provisions of the law and this policy;
9. Review all performance recognition and evaluation systems, training curricula, policies and customs of the department to determine if any practice encourages conduct that may support or lead to racially or otherwise biased based policing; and
10. Educate the public, in conjunction with the Executive Office of Public Safety and the Registry of Motor Vehicles, on what to expect when either stopped or detained by a police officer, as well as police expectations during motor vehicle stops or police detainment, to ensure both officer and citizen safety.
11. Utilize the data and the analysis of that data as a tool to help identify the decisions, geographic areas and procedures that should get priority when the Department identifies ways to address the problem or perception of bias based policing.

B. Identification of Profiling: To identify instances of racially or otherwise bias based profiling, the Canton Police Department shall:

1. Have all police officers document in the Department computer system, all interactions with motorists, whether this activity is self-initiated or dispatched. Data that will be collected will include, but is not limited to, race, gender, age, reason for the interaction/stop, and search results (if applicable). This data is crucial to not only document our discretionary interactions with motorists and citizens, but to show the racial, gender and ethnic diversity of the citizens living, driving in and visiting The Town of Canton.
2. Utilize the Canton Police citizen complaint procedures to document and investigate allegations of racial, gender or bias based profiling filed directly with the Department or referred through the Executive Office of Public Safety's statewide toll free complaint number or notification from POST;
3. Utilize procedures for the proactive review of performance, complaint and other employment information to assist supervisors in identifying and modifying potentially problematic behavior and to promote professionalism in this department; This includes a periodic review by supervisors of the racial, ethnic and gender of the motorists that the personnel under their command are interacting with. If that supervisor has a concern that disparity may exist with any member of this Department, that supervisor will make a request to a Lieutenant that a more thorough analysis be conducted.

4. When necessary, direct officers to collect data on race, gender, reason for the interaction and subsequent searches in accordance with the protocol established by the Secretary of Public Safety; and
5. To meet local, community and agency needs, a Superior Officer selected by the Chief shall, each fiscal year after the effective date of this policy, conduct and document an annual administrative review of agency practices and citizen's concerns either through an analysis of; **41.4.0 (2D,E)**
 - a) Written complaints made against officers or the agency or via any other formal or informal correspondence;
 - b) An analysis of the appropriate data collected on interactions with motorists; and
 - c) Forward all findings to the Chief of Police

C. **Enforcement of Profiling Policy:** To enforce the provisions of this policy, the Canton Police Department shall take the following corrective measures if bias-based profiling occurs: **41.4.0 (2F)**

1. Take appropriate action to address documented patterns of bias based profiling;
2. Utilize a system of intervention, including re-training and counseling to enable or encourage an officer to undertake a voluntary modification of his or her conduct or performance. If necessary, utilize a system of progressive discipline to address failures to adhere to this policy; and
3. Take appropriate measures to correct any Departmental practice or policy that has led to the use of racial or gender or otherwise bias based policing.