



The
University
of **Vermont**

Department of Police Services

| | |
|---|--------------------------------------|
| Department Directive # ADM-118 | CALEA Standards |
| Subject: Bias Free Policing | 1.2.9 |
| Rescinds All Previous Directives | Issue Date: 2002/12/02 |
| Effective Date: 2001/06/29 | Reviewed/Revised Date: 2019/03/26 |

Purpose:

The purpose of this policy is to emphasize UVM Police Services' commitment to bias-free, equitable treatment of all persons. Bias-free policing enhances legitimate law enforcement efforts and promotes trust within the community. This policy clarifies the circumstances in which agency personnel can consider specified characteristics when carrying out duties.

Policy:

All persons having contact with members of this agency shall be treated with dignity and respect. All decisions and actions must be delivered in a fair, impartial, equitable and objective manner, in accordance to law and without consideration of specified characteristics as defined in this policy.

I. Definitions

Biased Policing: Discrimination in the performance of law enforcement duties or delivery of police services, based on personal prejudices or partiality of department members toward classes of individuals or persons based on perceived or actual specified characteristics. Discrimination can be in the form of action(s) or omission(s).

Fair and Impartial Treatment: Conduct of an employee wherein all persons are treated equitably in manner and substance under similar circumstances irrespective of specified characteristics.

Specified Characteristics: For the purposes of this policy, real or perceived personal characteristics, to include but not limited to, race, ethnic background, citizenship, national origin, immigration status, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, or political affiliation.

Police Services: Sometimes referred to as community assistance functions, are actions and activities that may or 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, medical emergencies, welfare checks, lifesaving services, crime prevention, traffic control, public information, education, and similar activities.

II. Legal Authority

- A. All enforcement actions, such as investigative detentions, traffic stops, arrests, searches and seizures, etc., will be based on reasonable suspicion or probable cause as required by statutes and the 4th Amendment of the US Constitution. (1.2.9 a)
 - 1. Officers must be able to articulate specific facts, circumstances, and conclusions which support probable cause or reasonable suspicion for all enforcement actions.
 - 2. Officers may take into account the reported race, ethnicity, gender, or other potentially improper criteria of suspects based on credible, reliable, timely, and locally-relevant information that links persons of specific description criteria to particular criminal incident(s).

III. Procedures (Fair and Impartial Treatment)

- A. Biased policing is prohibited both in enforcement of the law and the delivery of police services.
- B. Department personnel shall take equivalent enforcement actions and provide equitable services to all persons in the same or similar circumstances. This does not mean that all persons in the same or similar circumstances must be treated identically. Reasonable concessions and accommodations may be, and sometimes should be made, for example when dealing with individuals with disabilities, injury, language differences, or illness.

- C. Agency personnel may only consider the specified characteristics when credible, timely intelligence relevant to the locality links a person or people with specified characteristic(s) to a particular unlawful incident, or to particular unlawful incidents or criminal patterns.¹
- D. Restrictions on the use of specified characteristics do not apply to UVM Police Services' activities designed to strengthen the agency's relationship with its diverse communities.

IV. Intervention and Adherence

- A. Where appropriate, agency personnel are encouraged to intervene at the time the biased policing incident occurs. Agency personnel who witness, or who are aware of instances of biased policing, shall report the incident to a supervisor.
- B. Supervisors shall ensure that all agency personnel on their shift and/or direct reports are familiar with the content and procedures of this policy, as well as the principles and techniques to reduce implicit bias and build trust and legitimacy with the community. Supervisors should be vigilant for indicators of possible bias. When alerted to bias policing, they will contemporaneously respond by intervening and documenting the incident(s) and alerting the Deputy Chief responsible for the oversight of the Professional Standards function.
- C. Complaints that agency personnel conducted policing activities based on any improper criteria will be investigated consistent with UVM Police Services' Professional Standards (IA) directives. (1.2.9 c)
- D. The Professional Standards function shall maintain data relating specifically to complaints of biased policing. Information shall be provided to the Chief/Director or designated authority annually in a manner most suitable for administrative review, problem identification, training and development, and/or appropriate corrective actions.

V. Techniques and Strategies to Mitigate Conflict and Advance Impartial Policing

- A. Agency personnel will, as standard procedure, use professionally appropriate techniques and strategies to advance the reality of respect and impartial policing. These techniques and strategies include, but are not limited to:

¹ UVM Police policy considers the following language incorporated in section III (C): Officers shall not consider specified characteristics when performing law enforcement duties or delivering police services except when such characteristics are part of a specific subject description.

1. Always be courteous, polite and professional.
2. As a matter of standard practice, provide a universal greeting that includes employee's name, agency affiliation and an explanation for the communication, intervention, or stop, as soon as practical, unless doing so compromises the safety of officers or others.
3. Actively listen.
4. Ensure the lengths of traffic stops, investigative detentions, field contacts, etc. are no longer than necessary to take appropriate actions for the known or suspected offense.
5. As long as it is safe for all involved, answering any questions citizens may have, including explaining any options for dispositions of the traffic citation, if relevant.
6. Providing your identification information by giving out a business card.
7. Explaining the credible, reliable, and locally relevant information that lead to the stop or contact when no enforcement action(s) were taken.
8. Requesting the presence of supervisory or administrative ranked officers to allow citizens to voice their concerns.
9. Explaining the agency's complaint process and providing contact information.

VI. Bias Based Citizen Reporting Response

The following protocol addresses citizen and community member contacts to the police for reasons ***based solely*** on an individual's perceived or known specified characteristics such as race, ethnicity, gender, age, immigrant status, perceived or known mental illness, sexual orientation, religion, disability, socioeconomic level, or other potentially erroneous demographic or characteristic(s).

- A. If an employee receives a call for service, or is alerted to a person, whose ***only foundation*** has to do with an individual's race, ethnicity, gender, or other specified characteristics, the employee will attempt to explore for ***specific behaviors*** that call for police response. If no specific behavior is identified, the employee will obtain the person's contact information and inform the individual that they will receive a call back from the OIC. If the employee feels comfortable and has time to explain they may provide an educational explanation as noted below for the OIC. In every case, the OIC should be alerted to the situation.

- B. The employee will contact the OIC and provide the circumstances of the interaction or call. The OIC will contact the reporting person/caller and explain that we do not respond to calls for service that are based solely on a person's race, ethnicity, gender or gender expression, age, perceived or known sexual orientation, religion, disability, socioeconomic level, or other potentially erroneous criteria. The OIC should attempt to educate the caller on our fair and impartial policing philosophy. S/he should also explain that we respond to behaviors/actions of individuals that appear suspicious, threatening, illegal, etc., not to situations based solely on a person's characteristics/attributes as defined above.
- C. In addition to educating the caller on our protocols and procedures, the OIC may also direct the caller to other helpful resources in the community such as Multicultural Affairs; the MOSAIC Student Center; Affirmative Action Office; Prism Center; and/or the Bias Incident Reporting Team.
- D. The OIC should always express appreciation for reporting person's communication, and emphasize our commitment to community safety and welcome future calls for service and assistance.

VII. Training and Development

All agency personnel will receive basic, mandatory, and periodic in-service training on subjects related to bias-free policing, to include legal aspects and the psychology of bias. When necessary, an employee or employees may receive remedial training. (1.2.9 b)

VIII. Reviews

The Chief/Director will ensure yearly administrative reviews are conducted to examine the agency's commitment to impartial policing. Dynamics that should be included in these documented reviews include, but are not limited to, related agency directives, practices and citizen concerns. (1.2.9 d)

By Order of the Chief/Director

Lianne M. Tuomey, MSW (she/her)