

# Old Saybrook Department of Police Services



## General Order - 4.39



Bias Based Profiling	Issued By: Michael A. Spera, Chief of Police
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### Policy

It is the policy of the Old Saybrook Department of Police Services to treat all citizens equally and to expressly prohibit the unethical or illegal profiling of groups or individuals. It is also the policy to comply with the Connecticut General Statutes 54-11 and 54-1m and associated regulations and programs that require the gathering of statistical information.

### Definitions

Racial Profiling: The detention, interdiction or other disparate treatment of an individual solely on the basis of the racial or ethnic status of such individual.

Bias Based Profiling: The stopping, detention, interdiction, search, asset seizure and forfeiture, or other disparate treatment of an individual based solely on their race, color, ethnicity, age, gender, gender identity or expression, disability or sexual orientation which would constitute a violation of the civil rights of the person.

Traffic Stop: Any time an officer initiates contact with a motor vehicle resulting in the detention of an individual and/or motor vehicle.

### Procedure

#### A. Bias Based Profiling

1. Members of the Department are prohibited from conducting biased based profiling.
2. Members of the Department must have reasonable suspicion supported by specific articulable facts that the person contacted has been, is or is about to commit a crime, violation or is currently presenting a threat to the safety of themselves or others.
3. Members witnessing behavior or becoming aware of conduct contrary to this directive shall immediately report their knowledge of the behavior to the shift supervisor. If their shift supervisor is the subject of the incident the member shall report the incident to another supervisor or to the next level of command.
4. Supervisors receiving information of a complaint alleging a violation of this policy shall document the complaint and advise the Chief of Police.

## B. Traffic Stops

1. Traffic stops are a valuable law enforcement tool. They encourage compliance with traffic regulations, minimize traffic accidents and help ensure the safety of the public. Traffic stops also create high visibility of law enforcement and aid in the detection and deterrence of criminal activity.
2. Officers are encouraged to conduct motor vehicle traffic stops to the extent allowed by law.
3. The Old Saybrook Department of Police Services prohibits the stopping, detention, interdiction, search, asset seizure and forfeiture or other disparate treatment of an individual based solely on their race, color, ethnicity, age gender, gender identity or expression, disability or sexual orientation which would constitute a violation of the civil rights of the person.
4. A traffic stop does not include:
  - a. Stops made as part of a check point or spot check unless contact with the operator is extended for any reason
  - b. Providing assistance to a motorist
  - c. Issuing traffic citations arising from traffic accidents
  - d. When a stop has been linked to a specific incident, such as a vehicle wanted in connection to a crime

## C. Traffic Stop Data Collection

1. Statistical data to be collected and reported includes the following:
  - a. Officer identification / badge number
  - b. Date of offense
  - c. Time of offense
  - d. Race
  - e. Ethnicity
  - f. Driver gender
  - g. Age of driver
  - h. Residency of driver
  - i. Geographic location of the offense
  - j. Nature of stop
  - k. Enforcement method
  - l. Result of stop
  - m. Duration of stop
  - n. Was the vehicle towed
  - o. Statutory citation for stop
  - p. Statutory citation resulting from stop
  - q. Was a search conducted
  - r. Authority for the search
  - s. Was contraband or evidence discovered
  - t. Was a custodial arrest made
2. Statistical data shall be collected for all traffic stops, regardless of the enforcement action, unless the officer was required to leave the location of the stop in order to respond to an emergency or due to some other exigent circumstance within the scope of such officer's duties.

3. Officers shall record their perception of race, ethnicity and gender of the operator based on the totality of the contact. Officers shall not inquire race, ethnicity or gender from the operator of the vehicle.
4. Officers shall record statistical data on the Connecticut Traffic Stop Data Collection Form or other means provided and approved by the Department.
5. Officers shall provide the operator with the State of Connecticut approved traffic stop informational card which provides written instructions on how to file a complaint if they believe they were stopped, detained or subjected to a search based solely on race, ethnicity/ancestry, age, gender, sexual orientation, religion or membership in a protected class.
6. If an operator complains or advises the officer they feel the stop was in violation of State law or this directive, the officer shall immediately notify their shift supervisor.
7. Connecticut Traffic Stop Data Collection Forms shall be submitted by the officer to the shift supervisor for review by the end of their work shift.

#### D. Supervisor Responsibilities

1. Shift supervisors shall ensure the procedures of this directive are followed.
2. Shift supervisors shall verify the Connecticut Traffic Stop Data Collection Form is submitted and filled out completely and correctly for each traffic stop.
3. Shift supervisors receiving information of a complaint alleging a violation of this policy shall document the complaint and advise the Chief of Police.

#### E. Command Responsibility

1. The Chief of Police, upon receiving information of an alleged violation of this directive, will cause an internal investigation of the complaint.
  - a. A copy of the complaint and the written notification of the review of the complaint and its disposition shall be provided to the Chief State's Attorney and the Office of Policy and Management pursuant to Connecticut General Statute, 54-1m(e).
2. Data collected, pursuant to this directive, will be submitted to the Office of Policy and Management at intervals and methods provided by OPM.

#### **Revision History**

October 1, 2013      General Order 4.39 replaces Administrative Order, Traffic Stop Statistics, issued on 1/1/2000.