



## **Chapter 4- Patrol Operations**

### **Section 402- Bias-Based Profiling**

#### **402.1 PURPOSE AND SCOPE**

This policy provides guidance to department members and establishes appropriate controls to ensure that employees of the Grand Rapids Police Department do not engage in bias-based profiling or violate any related laws while serving the community.

##### **402.1.1 DEFINITIONS**

Definitions related to this policy include:

Bias-based profiling - An inappropriate reliance on factors such as religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group as a factor in deciding whether to take law enforcement action or to provide service.

##### **402.2 POLICY**

The Grand Rapids Police Department is committed to providing law enforcement services to the community with due regard for the differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group. Religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law (Minn. Stat. § 626.8471, Subd. 3).

##### **402.3 BIAS-BASED PROFILING PROHIBITED**

Bias-based profiling is strictly prohibited. However, nothing in this policy is intended to prohibit an officer from considering above mentioned protected class in combination with other legitimate factors to establish reasonable suspicion or probable cause (e.g., suspect description is limited to a specific race or group). Officers may take into account factors including the gender, sexual orientation and religion of a specific suspect based on information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals. This information may be used in the same manner officers use specific information regarding age, height or weight about specific suspects.

#### **402.4 MEMBER RESPONSIBILITY**

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any known instances of bias-based profiling to a supervisor.

##### **402.4.1 REASON FOR DETENTION**

Officers detaining a person shall be prepared to articulate sufficient reasonable suspicion to justify a detention, independent of the individual's membership in a protected class. To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the officer's reasonable suspicion or probable cause for the detention, as applicable. Nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

##### **402.4.2 INFORMATION TO BE PROVIDED**

Officers shall (Minn. Stat. § 626.8471, Subd. 3):

- (a) Introduce or identify themselves and state the reason for a contact as soon as practicable unless providing the information could compromise officer or public safety.
- (b) Attempt to answer questions the person may have regarding the contact, including relevant referrals to other agencies when appropriate.
- (c) Explain the reason for the contact if it is determined the reasonable suspicion was unfounded.
- (d) When requested, officers have a duty to give their name, badge number and identify this department during routine stops.
- (e) When requested, officers should inform a member of the public of the process to file a misconduct complaint for bias-based profiling against a member of the Department, and that bias-based profiling complaints may be made by calling the Attorney General's office (Minn. Stat. § 626.9514).

#### **402.5 SUPERVISOR RESPONSIBILITY**

Supervisors shall monitor those individuals under their command for any behavior that may conflict with the purpose of this policy and shall handle any alleged or observed violation of this policy in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
- (b) Supervisors should periodically review BWC recordings, MDC data and any other available resource

used to document contact between officers and the public to ensure compliance with this policy.

1. Supervisors should document these periodic reviews.

2. Recordings that capture a potential instance of bias-based profiling should be appropriately retained for administrative investigation purposes.

(c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.

(d) Supervisors should ensure that no retaliatory action is taken against any member of this department who discloses information concerning bias-based profiling.

#### **402.6 TRAINING**

Training on bias-based profiling and review of this policy should be conducted as directed by the Training Unit.

The Chief of Police and supervisors should receive and review training materials prepared by the Board of Peace Officer Standards and Training (POST) (Minn. Stat. § 626.8471, Subd. 7).

