

City of Johns Creek Police Department

<i>Subject:</i> Bias Based Profiling – Prohibited		Number: 01-15
<i>Reference:</i>		<i>Amends:</i>
<i>Effective:</i> 04/08	<i>Review Date:</i> Annually	<i># of Pages:</i> 3
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10/12		
03/16		
09/16		
04/17		

PURPOSE:

Ensure police department members do not stop, detain or search, any person founded wholly or in part, on the basis of color, ethnicity, age, gender, socio-economic status or sexual orientation.

POLICY: (01-15)

Johns Creek Police Department officers, members and employees are required to conduct themselves with the highest professional integrity and ethics as they reflect directly upon the department and the City of Johns Creek. Bias Based Profiling (also known as Racial Profiling), or the practice of stopping, detaining, or searching a person based solely on their race, color, ethnicity, age, gender, socio-economic status or sexual orientation is not acceptable and shall be strictly prohibited.

Acts of profiling produces an umbrella of distrust over the department and directly hinders our ability to remain efficient and effective law enforcement officers. The police department shall provide officers with adequate training in diversity and shall review all complaints against its officers indicating possible Bias Based Profiling. The purpose of this policy is to prohibit the practice of Bias Based Profiling or any other discriminatory practice by police department members.

Scope: This policy shall apply to all officers, employees, and members of the Police Department.

DEFINITION:

Bias Based Profiling: The practice of stopping, detaining, or searching a person based solely on their race, color, ethnicity, age, gender, socio-economic status or sexual orientation.

PROCEDURES:

General Provisions (01-15-01)

- A. Bias Based Profiling of anyone or any person is not an accepted practice of this department and shall be prohibited.
 - 1. Race, color, ethnicity, age, gender, socio-economic status or sexual orientation shall not be a factor in determining the existence of probable cause to arrest or place an individual in custody.
 - 2. Race, color, ethnicity, age, gender, socio-economic status or sexual orientation is not, in and of itself, sufficient to constitute a reasonable and articulable suspicion that an offense has been or is being committed and does not justify the detention of any person or the investigatory stop of a motor vehicle.
 - 3. Race, color, ethnicity, age, gender, socio-economic status or sexual orientation shall not be a factor in any asset seizure and/or forfeiture action.
- B. A person may only be detained based on the factors related to a violation or the investigation of a violation of Federal law, Georgia statutes, and/or local ordinances.
- C. Police department members shall not stop, detain, or search any person when such action is motivated by their race, color, ethnicity, age, gender, socio-economic status or sexual orientation.
- D. Shift supervisors should continually and consistently review employee's contacts with citizens via the in-car camera system, but at a minimum shall conduct a documented in-car camera review of each employee quarterly. The review by shift supervisors shall confirm recording equipment is working properly and identify any corrective measures, if applicable. The review will be documented in the Guardian Tracking System (GTS) under the Video Review category.

Reporting Requirements (01-15-02)

- A. Police department members failing to report any observed or known violations of this policy may be subject to disciplinary action.
- B. The Chief of Police or his/her designee shall investigate all complaints of Bias Based Profiling or other discriminatory practices. Corrective measures will be taken, to include, but not limited disciplinary action(s), if an employee is found to be in violation of this policy.

- C. The Office of Professional Standards shall complete an annual administrative review to the Chief of Police of all complaints of bias based profiling and/or discrimination including but not limited to:
 - 1. A listing of each complaint;
 - 2. An explanation of action(s) taken;
 - 3. Recommendations for training;
 - 4. Citizen concerns;
 - 5. Review of agency practices; and
 - 6. Recommendations for changes in policy.

Training (01-15-03)

- A. The training division shall ensure all police department members receive entry level and annual diversity and bias based profiling training which will include legal aspects. Proof of this training shall be documented.
- B. Additional diversity training shall be given to any member as circumstances may warrant and/or as deemed appropriate by the member's supervisor or commander.