

 MIDDLETON POLICE DEPARTMENT	DATE October 5, 2013	POLICY 1.7.08
	REVIEWED December 1, 2017	
SUBJECT: Unbiased Policing		

Refer to:

History: 2003; Updated 1/2011; 10/2013; 02/2015

[WILEAG \(5th Ed.\) Standards: 1.7.8 \(1.7.8.1, 1.7.8.2\)](#)

PURPOSE

The purpose of this policy is to emphasize the Middleton Police Department's commitment to unbiased, equitable treatment of all persons in enforcing the law and providing police services.

POLICY

It is the policy of the Middleton Police Department that all people who come in contact with department employees be treated with dignity and respect. Citizens shall only be stopped and detained when there exists reasonable suspicion or probable cause of unlawful activity. Officers are permitted to perform consensual contacts. Members of the department shall not engage in biased based profiling, inappropriate epithets, or discriminatory omissions.

Background

Officers have a broad range of discretion when performing their official duties. Decisions to make traffic contacts, to detain and investigate, and to take enforcement actions are among the most common. It is important for this agency to be fair and impartial in its enforcement of the law. Specifically, this agency adopts the values of compassion, integrity, and professionalism; and the goal of emphasizing service, courtesy, ethics, diversity and cultural awareness. These values and goals specifically contradict behavior and activities which would negatively generalize about people on the basis of gender, race, ethnicity, or traits associated with belonging to a certain group.

Bias Based Profiling

Bias Based Profiling is defined as any police-initiated action that relies upon common traits associated with belonging to a certain group (such as race, color, national origin, ancestry, religion, political affiliation, disability, marital status, ethnicity, gender, sexual orientation, economic status, age, cultural group, or any other identifiable characteristics of an individual) rather than the behavior of that individual, or information that leads the police to a particular individual who is suspected of engaging in unlawful behavior. There is almost uniform consensus about two corollary principles that follow from adopting this definition of profiling:

- Police may not use common traits as factors in selecting whom to stop and whom to search.
- Police may use common traits in selecting whom they stop when a person matches the specific description of an individual who is suspected of engaging in unlawful behavior.

General Provisions

Law enforcement decisions to stop, detain, question, further investigate, search, warn or arrest an individual will be made on the basis of reasonable suspicion and probable cause irrespective of the gender, race, ethnicity, or other common traits associated with belonging to a certain group.

Tactics used to determine gender, race, ethnicity, or other individual traits of a motorist or other vehicle occupants prior to obtaining reasonable suspicion or probable cause shall not be used, except when such individual factors match the specific description of an individual who is suspected of engaging in unlawful behavior.

Procedure

1. Employees shall treat all persons contacted with respect and dignity.
2. Bias-based profiling is prohibited both in enforcement of the law and the delivery of police services.
3. Employees shall not use common traits and characteristics as the criteria for determining when or how to take enforcement action or provide police services, except when such individual factors match the specific description of an individual who is suspected of engaging in unlawful behavior.
4. Employees shall not use common traits and characteristics as a basis for discretionary enforcement actions, even if there is reasonable suspicion or probable cause. (For example, there are a plethora of speeders on Branch Street, but an officer primarily stops drivers of a certain ethnic group, or enforces a particular prevalent minor equipment violation primarily on drivers of a certain race.)
5. Enforcement actions shall be based upon reasonable suspicion and probable cause. Officers must be able to articulate specific facts and inferences drawn from those facts that establish reasonable suspicion or probable cause.
6. Nothing in this policy prohibits officers from using the common traits and characteristics of persons in combination with other facts to assist in establishing reasonable suspicion or probable cause in the same manner that officers would use hair color, height, weight, or gender for such purposes.
7. Employees shall refrain from using abusive, insulting, contemptuous, defamatory, or derogatory phrases or terms to characterize a person or group, unless they are being reported as spoken by another person during the completion of an official report or as testimony at an official hearing.
8. Employees shall report all infractions of this policy to their supervisor.
9. Supervisors shall use the department's complaint/allegation procedure to record any reports of infractions and investigate breaches of public confidence manifested by profiling, the uttering of epithets, or other forms of discrimination.