

SALEM POLICE		DEPARTMENT MANUAL	
		CHAPTER 89.0	
		DATE OF ISSUE 03/01/05	EFFECTIVE DATE 06/11/1021
SUBJECT: IDENTIFICATION & PREVENTION OF BIAS BASED PROFILING		ISSUING AUTHORITY Chief Lucas Miller	
REFERENCE(S): MPAC 1.2.9	PAGE 1 of 4	<input type="checkbox"/> NEW <input checked="" type="checkbox"/> AMENDS <input type="checkbox"/> RESCINDS Website	

89.1 GUIDELINES

Policing decisions made by and conduct of law enforcement officers that shall not consider a person's race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level.

This definition shall include policing decisions made by or conduct of law enforcement officers that: (1) are based on a law enforcement purpose or reason which is non-discriminatory, or which justifies different treatment; or (2) consider a person's race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level because such factors are an element of a crime. (1.2.9a)

89.2 MISSION STATEMENT

It is the policy of the department to:

- 1) Provide all people within this community fair and impartial police services, consistent with constitutional and statutory mandates.
- 2) To assure the highest standard of integrity and ethics among all our members

- 3) Respect the diversity and the cultural differences of all people
- 4) Take positive steps to identify, prevent, and eliminate any instances of racial, gender, ethnic, sexual orientation religious, economic or cultural profiling by our employees
- 5) Continue our commitment to community policing and problem solving, including vigorous, lawful and nondiscriminatory traffic enforcement that promotes public safety and strengthens public trust, confidence and awareness.

89.3 POLICY

It is the policy of this department that, except in "suspect specific incidents" police officers are prohibited from considering race, gender, national or ethnic origin of members of the public in deciding to detain a person or stop a motor vehicle and in deciding upon the scope or substance of any law enforcement action. (1.2.9a)

89.4 DEFINITIONS

- 89.4.1 Racial or Other Profiling: differential treatment by a law enforcement officer based on actual or perceived race, color, ethnicity, national origin, immigration or citizenship status, religion, gender, gender identity or sexual orientation in conducting a law enforcement action, whether intentional or evidenced by statistically-significant data showing disparate treatment; provided, however, that "racial or other profiling" shall not include the use of such characteristics, in combination with other factors, to apprehend a specific suspect based on a description that is individualized, timely and reliable.
- 89.4.2 Suspect Specific Incident: An incident in which an officer is lawfully attempting to detain, apprehend, or otherwise be on the lookout for one or more specific suspects who have been identified or described in part by national or ethnic origin, gender or race.

89.5 PROCEDURES

89.5.1 Prevention of profiling: To prevent bias based profiling, this Department shall:

- 1) Utilize the EOPSS or other certified training programs to help ensure that appropriate employees receive training on bias based profiling practices, legal aspects and the standards established by this policy. This training shall occur biennially or during the FTO phase for new Officers. (1.2.9b)
- 2) Ensure that this policy is disseminated to all officers, dispatchers and communications employees;
- 3) Train supervisory personnel to monitor police conduct to ensure that the Employees under their supervision are carrying out standards of this policy; (1.2.9b)
- 4) Review and, where appropriate, revise all procedures that involve the stop, detention, apprehension or search of individuals to ensure that such procedures are in compliance with the provisions of the law and this policy;
- 5) Review all training curricula, policies and customs of the department to determine if any practice encourages conduct that may support or lead to racial or gender profiling; and
- 6) Educate the public, in conjunction with the Executive Office of Public Safety and the Registry of Motor Vehicles, on what to expect when either stopped or detained by a police officer, as well as police expectations during motor vehicle stops or police detainment, to ensure both officer and citizen safety.

89.5.2 Identification of Profiling: To identify instances of racial or gender profiling, this department shall;

- 1) Utilize appropriate citizen complaint procedures to document and investigate allegations of racial or gender profiling filed directly with the agency or referred through the Executive Office of Public Safety's statewide toll free complaint number;
- 2) Utilize procedures for the proactive review of performance, complaint and other employment information to assist supervisors in identifying and modifying potentially problematic behavior and to promote professionalism in this department;

89.5.3 Enforcement of Profiling Policy: To enforce the provisions of this policy, this department shall:

- 1) Take appropriate action to address documented incidents of racial or gender profiling;
- 2) Utilize a system of intervention to enable or encourage an officer to undertake a voluntary modification of his or her conduct or performance;
- 3) Take appropriate measures to correct any institutional practice or policy that has led to the use of racial or gender profiling. (1.2.9c)
- 4) The Chief of Police shall order an annual review of all agency practices, citizen complaints, traffic stops, interactions with citizens, asset seizure and forfeiture to reveal patterns or trends that might indicate a need for training, policy modification and or corrective measures. Any need for additional training will be addressed by the training officer. (1.2.9d)

03/19/2021 Guidelines changed to conform with Police Reform Bill