

PITTSFIELD POLICE DEPARTMENT  
PROCEDURE

POLICY & PROCEDURE: 65	SUBJECT: Fair and Impartial Policing
EFFECTIVE DATE: 04-27-16	EXPIRATION DATE: Indefinite
THIS POLICY RESCINDS ANY PREVIOUSLY ISSUED MEMORANDUM, DIRECTIVES, NOTICES, SPECIAL OR GENERAL ORDERS IN CONFLICT WITH THIS POLICY.	
AUTHORIZED BY:	Matthew E. Harshberger Director of Public Safety
REVISIONS:	

**POLICY:**

This policy shall be followed by all Department Personnel. Adherence to any and all procedures related to this policy are required and hereby incorporated by reference for the purpose of determining compliance.

**PURPOSE:**

Biased based beliefs, enforcement action, or decisions absent evidence-based policing practices, probable cause or reasonable suspicion, shall be strictly prohibited. Persons having contact with members of this agency shall be treated in a fair, impartial, equitable, and objective manner, in accordance with law, and without consideration of their individual demographics, as defined in this policy.

**APPLICATION:**

This policy is for internal use only and is not intended to enlarge or negate the employee's civil and criminal liability in any way. Non-compliance with this policy constitutes a violation of Department Rules & Regulations, except in such cases where non-compliance violates the laws of the State of Michigan.

**NON-COMPLIANCE:**

Failure to comply with any provision of this policy may result in disciplinary action up to and including discharge.

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**DEFINITIONS**

**Biased-Based Policing:** Any police initiated action that relies solely on the race, ethnicity, national origin, gender, sexual orientation or religious background, rather than the behavior of an individual or violation committed.

**Fair and Impartial Treatment:** The belief that persons, irrespective of race or other distinctions, shall be treated in the same basic manner under the same or similar circumstances. This does not mean that all persons in the same or similar circumstances can or must be treated identically. Reasonable concessions and accommodations may be, and sometimes should be made, when dealing with individuals with physical or mental disabilities, injury, illness, or similar conditions, or when information about them necessitates different treatment.

**Individual Demographics:** For the purposes of this policy, personal characteristics, to include, but not limited to race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, cultural group, or political status.

**I. PROCEDURE**

A. Training

1. The Department will provide/offer cultural diversity/anti-discrimination training as part of regularly scheduled departmental training.
2. Nothing in this policy prohibits officers from using evidence based knowledge, actionable intelligence provided by a crime data analyst or other police agency, or eye witness accounts to crime in order to provide them with a criminal profile of the suspect. These characteristics may at times include race, ethnicity, gender or national origin 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 clothing descriptions to further an investigation.

B. Officer Requirements

1. Each citizen contact shall conform to Department policy and procedures.
2. Be courteous and professional at all times.

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3. Ensure the detention is no longer than necessary to take appropriate action for the known or suspected offense, and ensure that the individual understands the purpose of any delays that might be encountered.
4. Answer any questions the individual(s) may have, including explaining options for traffic citation disposition, if relevant.
5. Provide name and badge number when requested, in writing or orally.
6. Explain the reasons why an individual may have been stopped or detained, especially if no other official action is being taken (e.g., the officer determines that the person being detained is not the party being sought, if there was an investigative detention that did not yield any evidence of criminality or offense, etc.).
7. If the individual(s) wishes to file a complaint regarding the officer(s) actions, the officer shall immediately call for a supervisor. No person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against for filing such a complaint.

C. Command Requirements

1. Monitor employee behavior to identify incidents that are illegal, unfair, partial, excessive, inappropriate, or a violation of or not within the intent of, Department policy, rules, procedures or directives.
2. Periodically review officers' contacts (mobile audio/video) to ensure there is no pattern of biased policing. This review shall be conducted at least once during each Performance Evaluation Benchmark Period and documented within Guardian Tracking by the supervisor. Additionally, Lieutenants will conduct a yearly analysis of traffic stops and arrests for any potential indicators of biased policing.
3. Any complaints of bias-based policing are to be documented and thoroughly investigated in accordance with policy.

**II. REVISION RESPONSIBILITY**

- A. Responsibility for the continuous updating and revision of this Order lies with the Director of Public Safety. Continuous shall mean when necessary or when mandated by law.

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- B. In the event that this Policy conflicts with, or supersedes, any previous Departmental Order, Procedure, or Directive, to that extent, the conflicting or superseded Order is cancelled.



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