WEST NORRITON TOWNSHIP POLICE DEPARTMENT

Subject: Bias Based Policing		Policy # 1.8.3
Accreditation 1.8.3		
Effective Date: July 23, 2008	Revised Date: April 9, 2024	
By Authority Of: Chief Michael A. Kelly	Signature: Michael A. Kelly	

1.8.3 BIAS BASED POLICING

A. POLICY

The West Norriton Township Police Department does not condone the profiling of any group by sworn personnel and prohibits any policy, procedure, or practice that constitutes profiling any group of the population for the purposes of traffic stops or investigations.

B. PURPOSE

The purpose of the policy is to establish procedures to ensure that all police activities are conducted without profiling any group of the population.

C. DEFINITIONS

1. **Bias-Based Profiling** – When a police officer stops, takes enforcement or investigative action against a citizen based solely on the person's race, socio-ecomomic status, ethnicity, age, gender, sexual orientation, religion or disability. Profiling may also be defined as characterizing any of the aforementioned groups with a tendency to participate in criminal behavior.

2. **Reasonable Suspicion** – Also known as articulable suspicion. Suspicion that is more than a mere hunch, based on a set of articulable facts and circumstances that would warrant a person of reasonable caution in believing that a violation of the law has been committed, is about to be committed, or is in the process of being committed, by the person or persons under suspicion. This can be based on the observations of a police officer combined with his or her training and experience, and/or reliable information received from credible outside sources.

D. PROCEDURES

1. Initiating Enforcement, Investigation, and Citizen Contact:

   a. Sworn personnel are prohibited from using the race, ethnicity, gender, age, sexual orientation, religion, socio-economic status, or disability of a person as the sole reason for stopping a vehicle, issuing a citation, making an arrest, conducting a field interview, investigative detentions,

seizing assets, seeking asset forfeiture, or conducting a search. All investigatory detentions, traffic stops, arrests, searches, and seizures shall be based upon the standard of reasonable suspicion or probable cause as required by the Fourth Amendment to the U. S. Constitution, and state law.

i. Sworn personnel shall treat all citizens with courtesy and respect when making contact. Officers are forbidden from using language, or displaying symbols and gestures that are commonly viewed as offensive to, or are indicative of bias towards any group.
ii. All persons stopped by an officer shall be provided with an explanation for why they were stopped, unless disclosure of such information would undermine an investigation or jeopardize the officer's safety. Individuals are entitled to a verbal explanation and/or written documentation of the stop (e.g., Non-Traffic Citation, Summary Citation or Warning Notice). Providing citizens with an explanation for why they were stopped fosters better relations with the community and reduces the perception of bias on the part of the police. Nothing in this section shall limit the officer's ability to interview witnesses or discourage routine conversations with citizens not suspected of an offence.

2. Supervisory Responsibility

a. Supervisors shall:

i. Ensure that their personnel are familiar with this policy and supports its provisions.
ii. Receive all citizens' complaints or allegations of profiling on the part of individual officers, units or the Department and forward such information to the Chief of Police or his designee.
iii. Should the citizens' complaint or allegation of profiling be against the Chief of Police the complaint shall be forwarded to the West Norriton Township Board of Commissioners for their review and they shall determine who will investigate the complaint.
iv. Observe practices of officers to ensure profiling tactics are not utilized.
v. Review all reports, traffic citations, criminal complaints, etc. to ensure compliance with this order.

3. Training

a. Officers shall receive initial department training and in-service training at least annually that is specifically designed to address biased/racial profiling.
b. The training shall include avoiding improper profiling based on the actual or perceived race, ethnicity, national origin, limited English proficiency, religion, gender, gender identity, sexual orientation or disability of individuals.
c. Officer shall receive ongoing training in proactive enforcement tactics,

including, but not limited to profiling, cultural diversity, interaction with citizens, policy, ethics and related topics.

d. Training may be conducted through in-service, special courses, or roll-call training. Participation in the training shall be documented and recorded in Department training records. Training shall be provided at least every 3 years.

4. Corrective Measures

   a. Should a complaint of Bias-Based/Racial profiling be filed and found to be factual the officer involved shall be required to take remedial training in Bias-Based profiling as well as being subject to progressive disciplinary actions as outlined in section N of General Order 1.8.1 Code of Conduct.

5. Administrative Review

   a. An annual review of data related to agency compliance of this policy including any complaints of Bias-Based profiling, as well as the policy governing such profiling shall be conducted by the Chief of Police or his designee with appropriate changes or modifications being made.