

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Colorado State University Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (CRS § 24-31-309).

401.2 POLICY

The Colorado State University Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of racial- or bias-based profiling to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

Officers shall provide, without being asked, a business card to any person who was detained in a traffic stop and was not cited or arrested. The business card must include identifying information including, but not limited to, the officer's name, division, precinct and badge or other identification number and a telephone number that may be used, if necessary, to report any comments, either

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positive or negative, regarding the traffic stop; and information about how to file a complaint related to the contact. (CRS § 24-31-309(4)(a)).

401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting. However, officers will provide, without being asked, his/her business card to any person the officer has detained in a traffic stop that has not been cited or arrested. (CRS § 24-31-309(4)(a)).

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy. Supervisors should ensure that the identity of a person filing a bias-based profiling complaint is kept confidential to the extent permitted by law or unless necessary for further processing of the complaint (CRS § 24-31-309).

- (a) Supervisors should discuss any issues with the involved member and his/her supervisor in a timely manner.
 - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review body-camera recordings, CAD data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
 - (a) Supervisors should document these periodic reviews by the supervisory review functions of the administrative investigative software.
 - (b) Recordings that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

401.6 STATE REPORTING

The Department shall compile and maintain any information derived from complaints of profiling that are received due to the distribution of business cards as provided in this policy. The information shall be made available to the public but shall not include the names of officers or the names of persons alleging profiling (CRS § 24-31-309).

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401.7 ADMINISTRATION

Supervisors should review the information compiled from complaints, as provided in this policy and discuss the results with those they are assigned to supervise.

401.8 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Department.

All certified members will attend regular training on the subject of bias-based policing (CRS § 24-31-309). All newly employed officers should receive a copy of this policy and initial training on the subject of bias-based policing.

401.9 PUBLIC INFORMATION

The Department will ensure that this policy is made available to the public for inspection during business hours (CRS § 24-31-309).