
	BRANDEIS UNIVERSITY POLICE DEPARTMENT BIAS FREE POLICING POLICY	
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Policy Type:	GENERAL ORDER	
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Accreditation Standards (6th Edition) <ul style="list-style-type: none"> ● New 41.4.0 ● Revised ● Amended 		

I. PURPOSE

Members of the Brandeis University Police Department are committed to protecting all citizens' constitutional and civil rights. Allegations of bias-based profiling or discriminatory practices, real or perceived, are detrimental to the relationship between police and the community we protect and serve because they strike at the basic foundation of public trust.

This trust is essential to effective community-based policing. Bias-based profiling/policing is illegal and an ineffective law enforcement method. Bias-based profiling results in increased safety risks to officers and citizens and the misuse of valuable police resources. Additionally, such improper methods violate the civil rights of members of the public and may lead to increased exposure to liability. The Department does not endorse, train, teach, support, or condone any type of stereotyping or bias-based profiling by our members.

While recognizing that most members perform their duties professionally, ethically, and impartially, the Department is committed to identifying and eliminating any instances of bias-based profiling/policing.

Officers shall always adhere to the principles of Bias-Free Professional Policing as described and outlined below. While recognizing that the members of the Brandeis University Police Department take a sworn oath to perform our duties and responsibilities in a professional, ethical, moral, and impartial manner at all times, we shall stand ready and always remain committed to identifying, investigating, and holding those accountable who may have occasion to violate or intentionally deviate from any of our existing rules, policies, practices or laws in this important area.

II. DEFINITIONS

- A. ***Bias Based Profiling***: Any pattern or practice, including but not limited to stopping, detaining, frisking, and searching by police officers, that is based upon a generalized belief that a person of a particular race, ethnicity, or national origin is more likely to commit certain types of crimes.
- B. ***Bias-Free Policing***: policing decisions made by and conducted by 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. [41.4.0 (1)]

Note: *This definition of Bias-Free Policing shall also include and allow policing decisions made by or conduct of law enforcement officers that:*

- are based on a law enforcement purpose or reason which is non-discriminatory, or which justifies different treatment; or
 - 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(s) under investigation. [41.4.0 (1)]
- C. ***POST***: The Massachusetts Peace Officer Standards and Training Commission consists of nine (9) members vested with various powers to oversee police training and misconduct allegations, including, but not limited to, conduct involving allegations of bias.
- D. ***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 particularly described in part by national or ethnic origin, gender, or race.
- E. ***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. [41.4.0 (3)]

III. POLICY

- A. It is the policy of this Department that all bias-based profiling is prohibited. Except in "suspect specific incidents," police officers and employees are prohibited from considering the race, religion, gender, sexual orientation, age, occupation, immigration

status, national or ethnic origin or any other arbitrary characteristic of members of the public when deciding to detain a person during a traffic stop, field contact, or asset seizure and forfeiture efforts; or in deciding upon the scope or substance of any law enforcement action. [41.4.0 (1)]

Outreach Note: *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. The members of the Department shall always emphasize an understanding, appreciation, and respect for racial identity and cultural differences (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).*

B. It is the policy of the Brandeis University Police Department to:

- Provide all individuals within this community fair and impartial police services consistent with constitutional and statutory mandates;
- Ensure the highest standard of integrity and ethics among all our members;
- Respect the diversity and the cultural differences of all people;
- Take positive steps to identify, prevent, and eliminate any instances of bias based profiling by our employees; and
- 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.

IV. PROCEDURES

A. Prevention of Bias Based Profiling Training

To prevent bias-based profiling, this department shall train all agency enforcement personnel on initial and annual bias-based policing issues, including legal aspects, and shall: [41.4.0 (2A,B,C)]

- Utilize the Massachusetts Police Training Committee Basic Academy, or Department roll call training programs to help ensure that employees receive training on the legal aspects of bias-based policing practices and the standards established by this policy. [41.4.0 (2C)]
- Ensure that this policy is disseminated to all employees, dispatchers, and communications employees;
- Supervisory personnel will monitor employee conduct to ensure that the standards of this policy are being carried out under their supervision;
- Conduct a documented review by the **Internal Affairs Supervisor**, when and where appropriate, to revise procedures that involve the stop, detention, apprehension or search and seizure of individuals or their property to ensure that such procedures are in compliance with the provisions of the law and this policy; [41.4.0 (2D,E)]
- Conduct a Documented Annual Administrative Review by the **Training Supervisor** of all agency performance recognition and evaluation systems, training curricula, policies, citizen complaints or concerns and customs of the department to determine

if any practice encourages conduct that may support or lead to bias-based profiling.
This documented review shall be sent to the **accreditation manager**. [41.4.0 (2D,E)]

- B. The purpose of the annual administrative review of agency practices and citizen concerns is to reveal patterns or trends that might indicate a need for training, policy modification, and/or corrective measures. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service. [41.4.0 (2D,E)]

Some of the corrective actions that would be considered:

- Input from the Campus Safety Committee
- External review by another Chief of Police
- External review and training by bias-free policing field expert

Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

- C. Identification of Bias-Based Profiling:

To identify instances of bias-based profiling, this department shall:

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

- D. Enforcement of Bias-Free Policing Policy [41.4.0 (2F)]

To enforce the provisions of this policy, this department shall:

- Take appropriate action to address documented incidents of bias-based profiling;
- Utilize a system of intervention to enable or encourage an employee to undertake a voluntary modification of his or her conduct or performance; and
- Take appropriate measures to correct any institutional practice or policy that has led to the use of bias-based profiling.