700.41 AVOIDING RACIAL PROFILING

POLICY

The Janesville Police Department is committed to impartial policing and reinforcing procedures that assure the public we are providing service and enforcing laws in a fair and equitable manner to all.

DEFINITIONS

Racial Profiling: has the same meaning given to it in MN Statute 626.8471, subdivision 2.

PROCEDURES

Pedestrian/vehicle stops, detentions, arrests, searches, and property seizures by peace officers shall be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the United States Constitution. Peace officers must be able to articulate specific facts, circumstances, and conclusions that support reasonable suspicion or probable cause when conducting investigations or other law enforcement related functions.

Agency personnel shall be impartial when executing their job-related duties. This means officer shall not solely consider race, ethnicity, national origin, gender, sexual orientation, or religion in establishing reasonable suspicion or probable cause. officer may consider the descriptors listed above when they relate to and/or specifically link to suspected unlawful or suspicious activity by a particular individual or group of individuals. In such instances, the above-mentioned attributes may be used in the same manner as age, height, weight, or other physical characteristics of specific suspects.

To prevent the perception of bias, when interacting with suspects, victims, or other members of the community, officer must:

- be respectful and professional,
- introduce or identify themselves to the citizen(s) and state the reason for the contact as soon as practical unless providing information compromises officer or public safety,
- ensure detentions are compliant with state and federal law,
- attempt to answer any relevant questions the citizen may have regarding the contact including relevant referrals to other agencies when appropriate,
- provide their last name or badge number when requested, and

- explain the basis and reason for the stop, especially when reasonable suspicion does not result in a finding of criminal or unlawful behavior/conduct.

DUTY TO REPORT

An officer shall promptly report any suspected or known instances of bias-based policing to a supervisor. Agency personnel should, when reasonable to do so, intervene to prevent any biased-based actions by another officer. If a supervisor receives a report of biased-based policing, the supervisor shall inform the CLEO as soon as practical so the agency may, if warranted, initiate an internal investigation into the alleged conduct.

VIOLATIONS

Sustained violations of this policy will result in remedial training and/or disciplinary action up to termination. Confirmed violations of this policy must be reported to the POST Board in accordance with the reporting requirements in MN Statute 626.8457.

TRAINING

All agency personnel must review this policy annually.

STATUTORY REFERENCES

- MN STATUTE 626.8457 – Professional Conduct of Peace Officers
- MN STATUTE 626.8471 – Avoiding Racial Profiling; Policies and Learning Objectives Required
- ADMINISTRATIVE RULE 6700.1615 – Required Agency Policies