

	KENOSHA POLICE DEPARTMENT			
	POLICY AND PROCEDURE			
	41.31 Bias-Free Policing			
Effective Date:	11/19/2020	Revision Date:	11/19/2020	
Action:	Replaces Racial Profiling 41.3		Number of pages:	3

I. PURPOSE

The purpose of this policy is to emphasize this agency's commitment to fair and bias-free treatment of all people and to clarify the circumstances in which agency personnel may consider specified characteristics when carrying out duties. Fair and bias-free policing enhances legitimate law enforcement efforts and promotes trust within the community.

II. POLICY

People having contact with agency personnel shall be treated in a fair, impartial, bias-free, and objective manner, in accordance with law, and without consideration of specified characteristics as defined in this policy.

III. DEFINITIONS

Biased Policing: Discrimination in the performance of law enforcement duties or delivery of police services, based on personal prejudices or partiality of agency personnel toward classes of people based on specified characteristics.

Fair and Bias-free Treatment: Conduct of agency personnel wherein all people are treated in the same manner under the same or similar circumstances irrespective of specified characteristics.

Police Services: Sometimes referred to as community caretaking functions, these are actions and activities that may not directly include enforcement of the law, but that contribute to the overall well-being of the public. These include, but are not limited to, such tasks as welfare checks; death notifications; public assistance to persons who may be lost, confused, or affected by mental or physical illness; traffic control; medical emergencies; lifesaving services; crime prevention; public information; and community engagement.

Specified Characteristics: For the purposes of this policy, real or perceived personal characteristics, to include but not limited to race, ethnic background, national origin, immigration status, gender, gender identity/expression, sexual orientation, religion, socioeconomic status, age, disability, or political affiliation.

IV. PROCEDURES

A. Fair and Impartial Treatment

1. Biased policing is prohibited both in enforcement of the law and the delivery of police services.
2. Agency personnel shall take equivalent enforcement actions and provide bias-free services to all people in the same or similar circumstances. This does not mean that all people in the same or similar circumstances must be treated identically. Reasonable concessions and accommodations may be, and sometimes should be made, for example when dealing with people with disabilities, injury, or illness.
3. Agency personnel may only consider specified characteristics when credible, timely intelligence relevant to the locality links a person or people with a specified characteristic(s) to a particular unlawful incident, or to particular unlawful incidents or criminal patterns.
4. Restrictions on the use of specified characteristics do not apply to law enforcement activities designed to strengthen the agency's relationship with its diverse communities.

B. Compliance

1. All officers are to comply and where appropriate, agency personnel are encouraged to intervene at the time the biased policing incident occurs. Agency personnel who witness or who are aware of instances of biased policing shall report the incident to a supervisor.
2. Supervisors shall:
 - a. Ensure that all agency personnel in their command are familiar with the content of this policy and shall be alert and respond to indications that biased policing is occurring.
 - b. Respond to violations of this policy with training, counseling, discipline, or other remedial intervention as appropriate to the violation.
 - c. Ensure that those who report instances of biased policing are not subject to retaliation.
3. Information on biased-policing complaints and any additional relevant information shall be provided to the chief or their designee in a manner most suitable for administrative review, problem assessment, and development of appropriate officer-level and/or agency-level corrective actions. At least annually, a summary of biased-policing complaints should be provided to the chief or their designee.

V. COMMUNITY OUTREACH

- A. The Chief of Police shall designate an officer as community liaison on bias-based issues who will:
 1. Meet with members of groups affected by this policy.

41.31 Bias-Free Policing

2. Review complaints of bias for patterns and recommend corrective action when warranted.
3. Conduct training in conformance with this policy.

VI. Training

- A. All agency personnel will receive basic and periodic in-service training and, where deemed necessary, remedial training on subjects related to fair and bias-free policing.