

**UNIVERSITY OF RHODE ISLAND
POLICE DEPARTMENT**



ORDER	EFFECTIVE DATE	CHAPTER	ISSUING DATE
GENERAL	3/3/2021	2.8	3/3/2021
SUBJECT TITLE		SUBJECT AREA	
BIASED POLICING PROHIBITED		PATROL	
RIPAC REFERENCES		PREVIOUSLY ISSUED DATES	
2.8		10/16/2008, 6/24/2018	
DISTRIBUTION	REVIEW DATE	PAGES	
ALL	AS NEEDED	4	

I. PURPOSE

The purpose of this policy is to reaffirm the University of Rhode Island Police Department’s commitment to impartial, unbiased policing in all encounters between our police officers and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect officers from unwarranted accusations of misconduct when they act within the dictates of the law and Department policy.

II. POLICY

The University of Rhode Island Police Department (URIPD) prohibits its police officers from engaging in bias-based policing when executing any law enforcement activities, including but not limited to traffic stops/contacts, field contacts, and asset seizure and/or forfeiture efforts.

III. DISCUSSION

A. Members of this Department shall treat all persons fairly and shall neither participate in nor condone the disparate treatment of groups or individuals as a result of bias-

based policing. Bias-based policing undermines legitimate law enforcement efforts and fosters distrust among the community members we serve.

- B.** Persons will only be stopped or detained when reasonable suspicion or probable cause exists which indicates they have committed, are committing, or are about to commit an infraction of the law. In making routine or spontaneous law enforcement decisions, such as ordinary traffic stops, or while conducting activities in connection with a specific investigation, officers will never rely upon generalized stereotypes, attitudes, or beliefs about the propensity of any racial, ethnic, or national origin group to engage in unlawful activity.
- C.** This policy is not intended to preclude officers from engaging in enforcement obligations or community care-taking functions, such as taking action when observing a substance leaking from a vehicle or a person changing a flat tire; checking on someone who appears to be ill, lost, or confused; or considering a person's apparent age when investigating curfew regulations, graduated driver's license provisions, or liquor law violations.
- D.** This policy will not prohibit, as part of a criminal investigation, the use of a person's race, nationality, ethnicity, gender, sexual orientation, disability, religion, age, culture group, or association with any other identifiable group, or any combination of such factors, as a part of a specific description of a suspect, witness, or victim, when such information is relevant, reliable, and credible.

IV. DEFINITIONS

- A. Bias-Based Policing** – The detention, interdiction, or other disparate treatment of an individual based solely upon a trait common to a group for enforcement action. These traits include but are not limited to the individual's race, nationality, ethnicity, gender, sexual orientation, disability, religion, age, culture group, or association with any other identifiable group, or any combination of such factors.
- B. Articulate Reasonable Suspicion** – Is based on a specific articulable set of facts and circumstances that lead a law enforcement officer to believe criminal activity is involved and the facts and circumstances can lead to a stop and temporary detention of a person for questioning. Information must be more substantial than a mere hunch but can be less than probable cause. A frisk (i.e. Terry rule) may be appropriate under this definition.
- C. Probable Cause** – Sufficient knowledge of articulable facts and circumstances that would lead a reasonable law enforcement officer to believe a person has either committed, is committing or is about to commit an offense. Probable cause is a necessary element to place a person under arrest and/or to apply for a search warrant to conduct a search of a person's home or property.
- D. Field Interview/Contact** - The brief detention of an individual, based upon reasonable suspicion, for the purpose of determining the individual's identity and resolving an officer's suspicions.

V. PROCEDURE

- A. Training**
 - 1. Officers will receive initial recruit and periodic in-service training, once every year, in subjects that promote and encourage impartial policing. Applicable

training subjects may include, but are not limited to, courtesy, cultural diversity, and interpersonal communication skills.

2. Recruit and in-service training programs will also include the presentation of legal issues relating to the prohibitions against bias-based policing, including but not limited to statutory and constitutional laws and issues relative to search and seizure, equal protection, and civil rights laws.

B. Practical Field Implementation

1. Police officers will, as necessary and professionally appropriate, utilize techniques and strategies aimed toward promoting impartial policing, including but not limited to:
 - a. Being courteous, polite, and professional;
 - b. Providing police officers' names and agency information and explaining reasons for stops as soon as practicable, unless doing so compromises the safety of officers or others;
 - c. Ensuring the lengths of investigative detentions, field contacts, etc., are no longer than necessary to take appropriate actions;
 - d. Answering questions citizens may have, including any options for dispositions of related enforcement actions;
 - e. Explaining the credible, reliable, or relevant information that lead to stops or contacts when no enforcement options are taken;
 - f. Requesting the presence of a supervisor to allow citizens to voice their field contact or enforcement related concerns;
 - g. Explaining the agency's citizen complaint process when applicable.
2. Police officers are instructed not to abuse their discretion or selectively target specific groups and individuals based solely on their race or other illegitimate factors.
3. Officers will comply with R.I.G.L. 31-21.2-5 "Law Enforcement Practices," which states:
 - a. Unless reasonable suspicion or probable cause of criminal activity exists, no motor vehicle stopped for a traffic violation shall be detained beyond the time needed to address the violation. Nothing contained herein shall prohibit the detention of a motor vehicle for a reasonable period of time for the arrival of a canine unit or subsequent criminal investigation, if there is reasonable suspicion or probable cause of criminal activity.
 - b. No operator or owner-passenger of a motor vehicle shall be requested to consent to a search by a law enforcement officer of his or her motor vehicle which is stopped solely for a traffic violation, unless reasonable suspicion or probable cause of criminal activity exists.
 - c. Any evidence obtained as a result of a search prohibited by subsection a or b shall be inadmissible in any judicial proceeding. Nothing contained herein shall be construed to preclude any search otherwise based upon any legally sufficient cause.
 - d. Law enforcement agencies using video and/or audio surveillance cameras in their vehicles shall adopt written policies and procedures regarding the use of such cameras, which shall be public records.
 - e. The policies and procedures established by this section shall be added to and prominently placed in all relevant departmental policy and training manuals. Other appropriate training about the requirements of this chapter shall also be provided to all officers.

C. Complaints of Bias-Based Policing

1. Any person may file a complaint with the Department if they feel they have been stopped or searched based on racial, ethnic, or gender-based profiling, and no person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because they have filed such a complaint.
2. The Sergeant assigned to managing the bias-based policing data will ensure a documented annual administrative review of the Department's commitment to bias-based profiling is conducted. This will include a review of agency directives and practices as well as citizen concerns relating to bias-based policing.

D. Corrective Measures

1. Officers found to have violated the prohibition against bias-based policing will be subject to corrective measures including but not limited to counseling, re-training, and/or disciplinary action up to and including termination.

By order of: _____

Michael A. Jagoda

Director of Public Safety & Chief of Police

All Policies have an associated signed copy on file.