



Biased Based Profiling

I. PURPOSE

On January 1, 2004, this department will begin collecting specific data from traffic stops conducted by Officers for violations of the Maryland Motor Vehicle Law as outlined in Transportation Article 25-13. This data must be collected and submitted to the University of Maryland-Maryland Justice Analysis Center (M.J.A.C).

II. POLICY

Bias based profiling is prohibited by the Ridgely Police Department. Officers conducting investigatory stops of individuals must have reasonable suspicion, supported by specific facts that the person contacted/detained has committed or is about to commit a crime; or is engaged in articulable suspicious activity, or is presenting a threat to the safety of others or themselves.

Officers should always rely on their training, experience, knowledge, specific facts at hand and circumstances of the incident when taking law enforcement action. Officers of this Department found to engage in a pattern of bias based profiling will be subject to counseling, remedial training and/or disciplinary measures which could include termination from this department.

III. DEFINITION

A profile is a set of characteristics which arbitrarily ascribe to human behavior or to a social situation, and by which police officers judge, evaluate, and categorize, people, places, and things. These characteristics are derived from a police officer's life experiences, and are applied either consciously or sub-consciously, profiling as a criminal investigative tool, is derived from a police officer's work experiences in law enforcement, police intuitively form insights regarding people they professionally interact with, particularly the criminal element. From these associations, police develop a mental profile of certain characteristics that are habitually associated with specific acts of criminal behavior. Essentially methods of operation (M.O.), and criminal profiles are closely related concepts. Based on a criminal's M.O., an experienced and insightful police officer can usually formulate a reasonably accurate profile of the perpetrator. Profiling, in and of itself, can be a useful tool to assist law enforcement officers in carrying out their duties.

General Order No. 5-2 (Cont.)

Biased based profiling is the selection for law enforcement of individuals based solely on a common trait of a particular group. Bias based profiling includes, but is not limited to, taking law enforcement action based solely on a person's race, ethnic background, gender, sexual orientation, religion, economic status, age, culture, or some other identifiable group. Bias based profiling undermines legitimate law enforcement efforts and can lead to claims of civil rights violations. Additionally, bias based profiling alienates citizens as it fosters distrust of law enforcement by the community.

IV. PROCEDURE

1. When an operator of a motor vehicle is stopped by an Officer from this Department for any violation of the Maryland Motor Vehicle Law that does not fall in the following three categories, Traffic Stop Information will be submitted via ETIX with the proper citation, warning, and/or SERO. No verbal admonitions will be made as a substitute for a written warning. A traffic stop is defined by Maryland Vehicle Law; Section 25-115 "means any instance when a law enforcement officer detains the driver of a motor vehicle for any period of time for a violation of the Maryland Vehicle Law". Section 25-113 stated that a traffic stop does not include:
 - a. A checkpoint or roadblock stop,
 - b. A stop of multiple vehicles to a traffic accident or emergency situation requiring the stopping of vehicles for public safety purposes,
 - c. A stop based on the use of radar, laser, or vascar technology.
2. Traffic Stop Information regarding Biased Based Traffic Stops will be submitted through ETIX at the end of an Officer's assigned duty shift. If an officer is not using the ETIX system, they must submit their traffic data to the Citation Control Officer. The CCo must complete the Traffic Data Collection form (RPD Form 29).
3. Training related to this issue, including legal aspects, will be conducted by the Chief of Police during annual in-service training. The Traffic Stop Data completion protocol must be adhered to by, all personnel to assure complete and accurate data collection.
4. The Chief of Police will routinely monitor collected data from the Traffic Stop Data and formal complaints lodged by citizens concerning raced-based traffic stops to insure policies concerning bias based profiling are being followed.
5. The Chief of Police will immediately take notice of any irregularities and shall conduct a preliminary inquiry to assure compliance with this order. Upon receipt, the Chief of Police will review the annual report completed by the Maryland Analysis Center.
6. If information is developed that an Officer is engaged in bias based profiling, the Officer will be closely monitored. The Supervisor and the Chief of Police will be notified of the perceived problem if they are not the originator of the complaint. If a pattern of bias based profiling is clearly identified, necessary corrective action will be taken in the form of counseling, remedial training and/or disciplinary action, up to and including termination.