

WATERTOWN POLICE DEPARTMENT GENERAL ORDER



**JOANNA W. VITEK
CHIEF OF POLICE**

Effective Date: May 1, 2009	Rescinds: Amends:	Number: A - 100
Subject: Biased Based Policing		Re-evaluation Date: May 2012
Distribution: ALL PERSONNEL	Related CALEA Standards: 1.2.9; 32.2.1; 32.2.7; 32.2.8	

This order consists of the following numbered sections:

1. Purpose
2. Policy
3. Definitions
4. Procedures

1. PURPOSE

- A. The purpose of this policy is to prohibit the use of race, ethnicity, gender, or national origin as a reason to restrict liberty, or exercise any other police power upon an individual, except in those cases where one of the classifications above is a descriptive factor concerning a suspect.
- B. This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

2. POLICY

The policy of this department is to respect the rights of all persons who officers come into contact with during any law enforcement operation.

3. DEFINITIONS

- A. **BIASED-BASED POLICING** - Using race, ethnicity, gender or national origin as a reason to restrict a person's liberty where race, ethnicity, gender or national origin is not a descriptive factor relating to a suspected criminal event.

4. PROCEDURES

- A. All contacts made by members of this agency with any person must meet the requirements of the United States and South Dakota Constitutions.
- B. Preventing Perception of Bias:
 - 1) Officers should act with courtesy and professionalism on all stops and contacts.
 - 2) At the outset of a contact, where feasible, officers should introduce themselves and inform the person of the reason for the stop. This introduction is not required where the introduction would compromise the safety of the officer or any other person.
 - 3) Officers should continue the contact for only that time which is necessary to meet the objectives of that which justified the stop to begin with. i.e. if the stop is for a traffic violation, officers should not prolong the stop beyond the time it takes to write a citation. Where reasonable delays occur, the officer should keep the person informed of the reason for the delay.
 - 4) Officers should answer questions posed by the persons stopped to the extent that is possible.
 - 5) Officers should provide his or her name and identification number when requested.
- C. Complaints regarding bias: All complaints regarding bias, as defined by this policy shall be handled in accordance with the Internal Complaints and Investigations Policy of this agency.
- D. The agency shall conduct training for all personnel on this policy.

JOANNA W. VITEK
Chief of Police
Watertown Police Department
Watertown, South Dakota