



General Order

Durham Police Department
Durham, NC

General Order Number
4074 R-2

Effective Date
September 28, 2011

BIAS BASED POLICING

INTRODUCTION

The Durham Police Department will be fair and impartial in law enforcement. The Department believes that the use of stereotypes is inconsistent with effective policing and that the mere appearance of such is harmful to both this Department and the community we serve.

Officers of the Durham Police Department shall treat all people with whom they have contact equally and without regard to their race, gender, ethnicity, religion, age, citizenship, sexual orientation, political persuasion or any other stereotype. No stereotype shall be the motivation for the decision to initiate any police activity. Such activity constitutes profiling and is expressly prohibited.

DEFINITIONS

Bias Based Profiling: Bias-based profiling includes practices by individual members, managerial standards and departmental program administration, both intentional and non-intentional, that incorporate prejudicial judgments based on sex, race, ethnicity, gender, sexual orientation, economic status, religious or political beliefs, or age.

GUIDELINES

- Officers **may not** engage in bias-based profiling when establishing either reasonable suspicion or probable cause or as a motivation for field contacts and/or consent searches.
- Members **may** use race or other descriptive characteristics to determine whether a person matches a specific description of a particular suspect.
- Members will treat all people contacted with the respect and dignity. Members will refrain from using stereotypical phrases or terms.
- Members will report all infractions by co-workers to their supervisor immediately. If the supervisor is the subject of the infraction, going directly to the next level is permitted.
- Supervisors shall record and notify their chain of command and the Professional Standards Division of any reports or infractions related to bias-based profiling or other forms of discrimination.

VEHICLE STOP FORMS

North Carolina General Statute § 114-10.01 requires that the Department keep statistics on traffic stops. All officers who make a vehicle stop must accurately complete an SBI-122 form (Traffic Stop Report) and turn it in to the Records Unit by the end of their shift. An electronic version of this form may also be used, if available. The EIS unit shall issue each officer an identification number to be used on each of these reports in the block titled "Officer ID". In addition, if using the paper form of this report, then officers must write their name and employee number at the bottom of the page.

For vehicles stopped at checking stations, an SBI-122 form does not need to be completed, unless one of the following takes place:

- An arrest occurs; or
- A citation or warning ticket is issued; or
- A verbal warning is given; or
- Contraband is found; or
- Any property is seized; or
- A search of the vehicle or any of its occupants occurs; or
- Physical resistance by an occupant of the vehicle is encountered; or
- Any injury occurs to an occupant of the vehicle; or
- Force is used against any occupant of the vehicle; or
- An investigation occurs as a result of the checking station stop.

TRAINING

The Training Division will provide profile related training to initial recruits and annual in-service training to all officers in order to make sure that they understand and comply with this General Order.

ANNUAL REVIEW

The Professional Standards Division will conduct a documented annual review of agency practices related to bias based profiling and include any community concerns that have arisen that year. The review will determine whether patterns exist within the agency or possible additional training would be necessary. This administrative review will be forwarded to the Chief of Police.



Jose L. Lopez, Sr.
Chief of Police