

**CITY OF MANCHESTER DEPARTMENT OF POLICE  
GENERAL ORDERS**

<b>ORDER #:</b> 401	<b>SUPERSEDES: (G.O. # AND DATE - LEAVE BLANK IF NEW):</b>
<b>EFFECTIVE DATE:</b> 03-13-20	<b>ISSUING AUTHORITY:</b> CHIEF OF POLICE

**RACIAL / BIAS BASED PROFILING**

401.00 PURPOSE

The purpose of this General Order is to state unequivocally, that law enforcement activities that are the result of biased based profiling are not condoned, are unacceptable, and will not be tolerated by the Manchester Police Department. Biased based profiling is unethical and illegal and serves to foster distrust of law enforcement by the community we serve. This order will serve as a guideline for police officers to prevent such occurrences and to protect our personnel, when they act within the provisions of the law and this order, from unwarranted accusations. This General Order conforms to all federal mandates and Revised Missouri State Statutes 590.650 and 590.050, associated with encounters between police officers and citizens during traffic arrests, traffic stops and investigative detention.

401.01 DEFINITIONS

- A. **Biased Based Profiling-** Commonly referred to as “racial profiling” is the selection of individuals based solely on a trait common to a group for enforcement action. This includes, but is not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, veteran status, or any other identifiable group.
- B. **Enforcement Activities-** Activities both on and off-duty, undertaken by police department personnel that arise from their authority related to employment, oath of office, state statute or Federal Law. Activities such as traffic contacts, field contacts, arrests, investigations, asset seizure and forfeiture, and general law enforcement contact with citizens.
- C. **Reasonable Suspicion-** Suspicion that is more than a mere hunch, but is based on a set of articulable facts and circumstances that would warrant a person of reasonable caution in believing that a violation of the law has been committed, is about to be committed, or is in the process of being committed, by the person or persons under suspicion. This information can be based on observations, training and experience, or reliable information received from credible outside sources.

#### 401.02 POLICY

- A. The Manchester Police Department respects and protects the rights of every individual and pledges to treat everyone fairly and without favoritism in all enforcement actions.
- B. All investigative detention traffic stops, arrests, searches and seizures of property, including asset seizure and forfeiture efforts, by commissioned police personnel will be based on a standard of "reasonable suspicion" or "probable cause" as required by the Fourth Amendment of the U.S. Constitution and statutory authority.
- C. All investigative detentions, traffic stops, arrests, searches or seizures of property, including asset seizure and forfeiture efforts, based on race, ethnicity, gender, sexual orientation, religious beliefs, disability, handicap or health related conditions, or economical level conducted without probable cause or reasonable suspicion, are strictly forbidden. Officers must be able to articulate specific facts, circumstances and conclusions that support probable cause or reasonable suspicion for the arrest, traffic stop or investigative detention.
- D. Proactive traffic enforcement and stops are an effective and important law enforcement function. Enforcement efforts are critical in saving lives and reducing injuries that are attributed to either drunk driving or individuals that wantonly violate the traffic laws of our state and communities. In addition, traffic law enforcement is an effective tool in gathering evidence, apprehending fugitives and combating illegal drugs, illegal weapons and other criminal activity.
- E. The Manchester Police Department General Order Manual that has been made available to all employees identifies specific procedures to be used during investigative detentions, traffic stops, use of force, search and seizure.
- F. The Manchester Police Department will investigate all complaints of bias based profiling and will conduct an annual administrative review of statistical traffic, field interview and asset forfeiture data to determine and verify compliance.
- G. Corrective measures will be taken to remedy any violations of this policy. Corrective measures may include but are not limited to, training, counseling, policy review, and discipline up to and including termination of employment.
- H. All sworn officers shall receive annual bias-based profiling related training. This training will be conducted and documented by supervisors at the platoon level. Training documentation will be forwarded to the Professional Standards office. This training may include the viewing of video training tapes, web-based computer

courses, or policy review and legal updates related to bias based profiling and is a requirement of the Missouri Law Enforcement Continuing Education requirements.

#### 401.03 PROCEDURE

Revised Missouri State Statute 590.650 requires that certain statistical information be collected and reported for every motor vehicle stop made by a peace officer. This statute covers “traffic” violation stops as well as “suspicious” vehicle stops. The mandatory collection of this information **pertains only to the driver of a vehicle, and not to any of the passengers** (except for the overall number of passengers). The following section lists the procedure for collecting and reporting this information.

- A. In the “Records Management” section of ITI, there is a separate tabs marked “Summons” and “Racial Profiling”. Handwritten traffic tickets are entered into the department ITI records management system by officers themselves or record room personnel, however, officers are responsible for entering the racial profiling data.
- B. To enter racial profiling data, just click on the “Racial Profiling” tab and answer every question. There are three pages that need to be completed requiring the following information from every vehicle stop:
  - 1. TRAFFIC VIOLATION: This is the traffic offense that led to the stop, and more than one box may be checked.
  - 2. RESULT OF STOP: Check all that apply, and more than one box may be checked.)
  - 3. DRIVER’S RACE / MINORITY STATUS: (Based on visual observation only - you’re not supposed to ask the driver).
  - 4. DRIVER’S AGE
  - 5. DRIVER’S GENDER
  - 6. RESIDENCY OF DRIVER: Indicate (Yes or No) whether the driver a resident of Manchester.
  - 7. LOCATION OF STOP: Contrary to what this box implies, this is the location where the actual traffic violation occurred.
  - 8. WAS VEHICLE SEARCH INITIATED AS A RESULT OF THE TRAFFIC STOP? If marked “yes”, check all boxes that apply.
  - 9. WHAT WAS SEARCHED?

10. DURATION OF THE SEARCH: This is the total time of all searches conducted during the traffic stop. It applies to the driver only and any property searched.

11. CONTRABAND FOUND? Check all boxes that apply.

12. WAS DRIVER ARRESTED AS RESULT OF SEARCH?

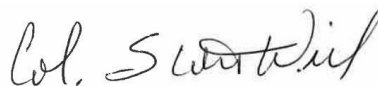
13. IF ARREST WAS MADE, CRIME / VIOLATION ALLEGED: (Check all the appropriate offense boxes that apply.)

14. WAS DRIVER ASKED TO EXIT THE VEHICLE?

15. NUMBER OF PASSENGERS IN THE VEHICLE

C. The Commander of Field Operations is responsible for compiling, auditing and submitting the annual racial profiling data to the Missouri Attorney General no later than March 1<sup>st</sup> of each calendar year as required by statute. The office of Professional Standards will conduct an annual administrative review of agency practices including citizen concerns.

By order of:



Colonel Scott Will  
Chief of Police

**MPCCF Certification: 29.3**

Distribution: All Department Personnel