

Bias-Based Policing

401.1 PURPOSE AND SCOPE

The Cleveland Heights Police Department is dedicated to providing services and enforcing laws in a professional, unbiased, fair and equitable manner based on mutual trust and respect with Cleveland Heights' diverse residents and visitors. Bias-based policing is strictly prohibited. Bias-based policing erodes the public's confidence in police and is detrimental to effective law enforcement because it fosters distrust in the community and undermines the ability to effectively enforce the law and ensure public safety.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-Based Policing: When a CHPD member takes a law enforcement action or decides to provide or not provide police services, and that action or decision is motivated by discrimination on the basis of an individual's demographic characteristics.

401.2 POLICY

The Cleveland Heights Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Nothing in the policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and geographically proximate, distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns, or specific schemes.

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair, objective, unbiased and equitable manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

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To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 REPORTING TRAFFIC STOPS

Each time an officer makes a traffic stop, the officer shall report the gender, race, or ethnicity of the driver.

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any actual or alleged violations or issues with the involved officer and his/her supervisor in a timely manner.
- (b) Supervisors shall initiate investigations of any actual or alleged violations of this policy in a timely manner.
- (c) Supervisors should document these discussions on a PD101.
- (d) The Patrol Captain shall ensure that Shift Supervisors conduct bi-monthly reviews of Mobile Video Recorder recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between officers under their command and the public to ensure compliance with this policy. Each review should consist of a random selection of at least 10% of the uniform division.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (e) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.
- (f) If applicable based on position, supervisors will monitor field training officers to ensure that biased free policing policies are applied

401.6 ADMINISTRATION

Each year, the Patrol Captain should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police. The annual report should not contain any identifying information about any specific complaint, citizen or officers. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

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Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

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401.6.1 PUBLISHING AN ANNUAL REPORT TO THE PUBLIC

The Chief of Police or the authorized designee shall prepare an annual report for the public that documents the annual administrative review of agency practices, data collected and citizens' concerns.

401.7 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Training Academy.

401.7.1 TRAINING FREQUENCY AND TOPICS

The Training Academy should provide annual training that includes topics, such as field contacts, traffic stops, search issues, asset seizure and forfeiture, interview techniques, cultural diversity, discrimination, and community support.

- (a) All officers shall be made aware and receive initial training and annual training in bias free policing and best practices, including legislative updates and case law, to ensure that the constitutional requirements and departmental standards for conducting searches and seizures are met.
- (b) Training on conducting constitutional law enforcement investigations shall be held annually, or at intervals recommended after the Annual Administrative Review and adopted by the Chief of Police.
- (c) Training may be in the form of classroom training (in-service or outside agency), roll call training, group training or handout materials for officer review.