



# City of Groton POLICE DEPARTMENT OPERATIONS DIRECTIVE



LOG: 11-02

DATE: 09 February 2018

INDEX: N-2 Rev. 4

## BIAS BASED POLICING PROHIBITED TRAFFIC STOP DATA COLLECTION/NOTICE TO OPERATOR

### 1. Policy

It is the policy of the Groton City Police Department that police officers shall not participate in, nor shall they condone, the use of any bias based policing in the provision of services to our community. All law enforcement activities shall be in conformance with the Constitutions of the United States and the State of Connecticut as well as the laws/ordinances of Connecticut and the City of Groton.

### 2. Purpose

The purpose of this directive is to reaffirm the Groton City Police Department's commitment to unbiased policing in all of its encounters between police officers and our citizens. This directive will also serve to maintain public confidence and trust through the provision of law enforcement services in a fair and equitable manner.

### 3. Procedure

- a. Police officers must be able to articulate specific facts, circumstances and conclusions that support probable cause or reasonable suspicion for any search or seizure, including but not limited to traffic stops. All such actions shall be based on standards established by the Fourth Amendment to the U.S. Constitution and by the Connecticut General Statutes.
- b. Bias based policing is the differential treatment of individuals in the context of rendering police service based solely on one or more suspect classifications, such as race, ethnic background, gender, gender identity, sexual orientation, religion, economic status, age or cultural background. Bias based policing may also be defined as a police action based on an assumption or belief that any of the aforementioned classifications have a tendency to participate or engage in criminal activity.
- c. Bias based policing is prohibited by any member of the Groton City Police Department. Violations of this directive may result in discipline up to and including termination.
- d. Police officers may take into account the reported race, ethnicity or national origin of a specific suspect or suspects in the same way they would use specific information regarding height, weight, hair color, etc. concerning specific suspects they have reason to believe may be wanted or may have participated in specific criminal activities.
- e. Police officers will provide police services to all persons without regard to race, ethnic background, gender, gender identity, sexual orientation, religion, economic status, age or cultural group. Officers are prohibited against bias based profiling in traffic contacts, field contacts and in asset seizure and forfeiture efforts.
- f. Supervisory responsibility:
  - i. Supervisors shall ensure that personnel working under their command are familiar with this directive and that they comply with its provisions.
  - ii. Supervisors shall ensure that any citizen who complains about bias based policing is taken seriously and that a complaint is reduced to writing and provided to the Chief of Police for appropriate action to include counseling, re-training and/or discipline to include termination. If the complainant is unable or unwilling to reduce the complaint to writing, then the supervisor receiving the complaint shall write the complainant's report.

ISSR 1.1.12.a

ISSR 1.1.12.c

ISSR 1.1.12.b

ISSR 1.1.12.d

- g. Training regarding bias based policing, cultural diversity, interaction with citizens, legal aspects and related topics will be integrated into the department's field training program for all new officers.
- h. At least annually, the department's Support Services Commander will ensure that the provisions of this directive are incorporated into a roll-call training session for all department personnel.
- i. The Support Services Commander, in conjunction with the Chief of Police, shall conduct an annual analysis of agency practices and citizens' concerns to ensure compliance with this policy by all personnel.
- j. Traffic Stops
  - i. In keeping with this Directive and Connecticut General Statute 54-1m, all GCPD officers are prohibited from the stopping, detention or search of any person when such action is solely motivated by considerations of race, color, ethnicity, age, gender or sexual orientation, and such action would constitute a violation of the civil rights of the person.
  - ii. The GCPD will collect and record data of all motor vehicle operators who have been subjected to a traffic stop by one of its officers. The required data has been determined by the Connecticut Office of Policy and Management in consultation with the Racial Profiling Prohibition Project Advisory Board.
  - iii. A **Traffic Stop** is defined as any time an officer initiates contact with a vehicle resulting in the detention of an individual and/or vehicle. This includes stops made in the course of conducting a spot check.
    - 1. A Traffic Stop does not include providing assistance to a motorist, traffic citation arising from traffic accidents or in cases in which an officer stops a vehicle that has been linked to a specific incident.
  - iv. During each and every traffic stop, GCPD officers will radio to dispatch the applicable "data elements" concerning their perception of the operator and circumstances of the stop. The dispatcher will enter this information into the Capital Region Council of Governments Racial Profiling Module within the COLLECT system.
  - v. The following "Data Elements" will be provided to the Dispatcher:
    - 1. Race/Ethnicity
      - a. Asian or Pacific Islander
      - b. American Indian or Alaskan Native
      - c. Black
      - d. White
      - e. Hispanic
      - f. Middle Eastern or East Indian
    - 2. Gender of the driver (M/F)
    - 3. Age
    - 4. Whether or not the operator is a resident of Connecticut
    - 5. Whether or not the operator is a resident of the municipality where the stop was made.
      - a. All sections of the Town of Groton (Town, City, Long Point) are considered the same municipality.
    - 6. Geographic location of the traffic stop
    - 7. Nature of the stop
      - a. Criminal investigation
      - b. Motor vehicle violation
      - c. Motor vehicle equipment issue (i.e. disabled motorist)
    - 8. Enforcement method
      - a. General enforcement
        - i. A traffic stop as defined above that is made through the officer's general enforcement techniques and does

- not involve special enforcement methods.
- b. Blind enforcement
  - i. A traffic stop as defined above that is made utilizing special enforcement methods such as radar, laser, license plate recognition device, or DUI sobriety checkpoints.
- c. Spot check
  - i. A traffic stop as defined above is made which includes stopping traffic at certain intervals to detect violations of seat belt law, the illegal use of cellphones or other electronic devices, etc. (A DUI sobriety checkpoint is not considered a spot check for reporting purposes).
- 9. Result of stop
  - a. Uniform Arrest Report
  - b. Misdemeanor Summons
  - c. Infraction Citation
  - d. Written Warning
  - e. Verbal Warning
  - f. No Disposition (no action taken)
- 10. Duration of stop
  - a. 0-15 minutes
  - b. 16-30 minutes
  - c. Over 30 minutes
- 11. Whether or not the offender's vehicle was towed
- 12. Statutory number of the charge levied against the operator
  - a. If there are multiple charges, the dispatcher will only enter the most severe charge.
- 13. Whether or not a search was conducted as a result of the traffic stop
- 14. If a search was conducted, on what authority the officer acted (3 categories).
  - a. Consent
  - b. Inventory
  - c. Other
- 15. Whether or not contraband and/or evidence was discovered.
- 16. Whether or not a custodial arrest was made. This includes any occupant of the vehicle.
- 17. Other criteria such as the GCPD agency code, the officer identification number, date and time of the traffic stop will be automatically recorded by the dispatcher at the time of the stop.
- vi. A pre-printed notice will be given to the operator of the traffic stop by the officer prior to clearing the stop. This notice will advise the operator that if they feel they have been stopped, detained or subjected to a search solely due to their race, color, ethnicity, age, gender, sexual orientation, religion or membership in any other protected class, they may file a complaint with the GCPD. The notice will also describe how to go about filing the complaint.
  - 1. This notice is not required to be given to the operator if the officer was required to suddenly leave the location of the stop due to an emergency within the scope of the officer's duties.
- vii. All bias based complaints, whether they are traffic related or not, will be investigated by the GCPD following the directive outlined in Log 12-06.

*Michael J. Spellman*

*February 9, 2018*

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Michael J. Spellman

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Date