



# Impartial Policing

Section: 2.431  
Effective Date: August 16, 2010  
Amended: January 20, 2021

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## 2.431 Impartial Policing

- A. Consistent with **1.308 Respect for Constitutional Rights** and **1.323 Equality of Services** the agency:
1. Affirms its commitment to impartial, unbiased policing;
  2. Clarifies the circumstances in which race, ethnicity, gender, sexual orientation, or other potentially improper criteria can legitimately be used as factors establishing reasonable suspicion or probable cause; and
  3. Reinforces procedures that serve to assure the public that we are providing services and enforcing laws fairly, equitably, and impartially.
- B. All enforcement actions, such as investigative detentions, traffic stops, arrests, searches and seizures, etc., will be based on reasonable suspicion or probable cause as required by statutes and the 4<sup>th</sup> Amendment of the US Constitution.
1. Officers must be able to articulate specific facts, circumstances, and conclusions which support probable cause or reasonable suspicion for all enforcement actions.
  2. Officers may take into account the reported race, ethnicity, gender, or other *potentially improper* criteria of suspects based on credible, reliable, locally-relevant information that links persons of specific description criteria to particular criminal incidents, or links specific crimes in specific areas to groups of individuals of specific description criteria.
  3. Nothing in this or other agency directives alters officers' authority to conduct enforcement actions or otherwise fulfill officers' enforcement obligations.
- C. Except as provided in **B. 2**:
1. Officers will not consider race, ethnicity, gender, or other improper criteria in establishing either reasonable suspicion or probable cause; and
  2. Persons will not be singled out or otherwise treated differently because of their race, ethnicity, gender, or other improper criteria.
- D. Agency officers will receive initial and periodic training in subjects that promote and encourage impartial policing. Applicable training subjects may include, but are not limited to officer safety, courtesy, cultural diversity, search and seizure, asset seizure and forfeiture, interview techniques, interpersonal communication skills, and constitutional and case law.
- E. Officers will, as necessary and professionally appropriate, use techniques and strategies to advance the reality of impartial policing. These techniques and strategies include, but are not limited to:
1. Being courteous, polite, and professional;
  2. Providing officers' names and agency information and explaining reasons for stops as soon as practical, unless doing so compromises the safety of officers or others;

3. Ensuring the lengths of traffic stops, investigative detentions, field contacts, etc., are no longer than necessary to take appropriate actions;
  4. Answering questions citizens may have, including any options for dispositions of related enforcement actions;
  5. Providing their identification information consistent with **1.930 Standard of Conduct - - Identification**;
  6. Explaining the credible, reliable, or locally-relevant information that lead to stops or contacts when no enforcement actions were taken;
  7. Requesting the presence of the shift supervisor/OIC to allow citizens to voice their field contact or enforcement related concerns; and
  8. Explaining the agency's complaint process.
- F. Complaints that agency officers conducted policing activities based on any improper criteria will be investigated consistent with **2.900 Complaints and Discipline**.
- G. Corrective measures, if bias based profiling occurs, may include and in keeping with the current MOU:
1. Informal counseling and informal monitoring by employees'
  2. Formal counseling or corrective actions as appropriate;
  3. Formal monitoring for a minimum of 12 weeks with monthly formal reviews and reports;
  4. Mandatory remedial or additional training designed to improve employee skills
  5. Voluntary or mandatory referral to the university's Employee Assistance Program (EAP) for counseling or referral assistance, etc.
- H. The Captain will ensure yearly administrative reviews are conducted to examine this agency's commitment to impartial policing. Dynamics that are to be included in these reviews include, but are not limited to related agency directives, practices, and citizen concerns.

#### **2.431.02 Traffic Stop Data Collection**

- A. The agency complied with the requirements of TR 25-113.
- B. Agency officers collect, in the format adopted by this agency, required information for all traffic stops consistent with TR 25-113. The required information is:
1. Dates, times, and locations of traffic stops;
  2. Approximate duration of traffic stops;
  3. Violations alleged to have been committed leading to stops;
  4. Whether searches were conducted as result of stops;
  5. If searches were conducted, reasons for searches, whether searches were consensual or nonconsensual, whether persons were searched, whether property was seized;
  6. Whether contraband or other property was seized during searches;
  7. Whether warnings, SEROs, or citations were issued as result from stops;
  8. If warnings, SEROs, or citations were issued, the basis for issuing warnings, SEROs, or citations;
  9. Whether arrests were made from stops or resulting searches;
  10. Crimes charged from arrests;
  11. Registration states of stopped vehicles;
  12. Drivers' gender;
  13. Drivers' dates of birth;

14. Drivers' states of residence and, if available on drivers' licenses, counties of residence; and
15. Race or ethnicity of drivers as:
  - a. Asian;
  - b. Black;
  - c. Hispanic;
  - d. White; or
  - e. Other
- C. All police agencies in Maryland that report race-based traffic stop data to the Maryland Statistical Analysis Center (MSAC) will either compile all data through E-Tix or download the Deltaplus software and submit data on every stop electronically. All electronically submitted data through Deltaplus goes directly to the Maryland State Police who will then be responsible for submitting all of the State's traffic stop data to MSAC.
- D. The Captain is responsible for periodically reviewing data collected by the agency and annual reports from the Maryland Justice Analysis Center as a management tool to promote impartial policing and in the training and counseling of agency officers.