

	Operational General Order	6.04 Biased Policing	ORIGINATOR/REVIEW Chief's Staff
	SUBJECT Virginia Beach Police Department General Order Chapter 6 – Constitutional Issues		DISTRIBUTION ALL
	CALEA: 1.2.9		
BY THE AUTHORITY OF THE POLICE CHIEF: PWN			

Purpose:

Biased policing undermines legitimate law enforcement efforts, alienates community members, and fosters community distrust. This policy is intended to reaffirm this department's commitment to bias-free policing, to clarify the circumstances in which agency personnel can consider race, ethnicity, national origin, gender, gender identity, sexual orientation, socio-economic status, religion, housing status, disability, and/or age when carrying out duties.

Definitions:

Biased policing is the inappropriate consideration of specified characteristics in carrying out duties.

Specified characteristics include, but are not limited to race, ethnicity, national origin, gender, gender identity, sexual orientation, socio-economic status, religion, housing status, disability, and/or age.

Policy: CALEA 1.2.9(a)

The Virginia Beach Police Department does not train, endorse, support, or condone any type of biased policing. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group.

Agency personnel may not consider the specified characteristics except when credible, timely intelligence relevant to the locality links a person or people of a specified characteristic to a specific unlawful incident, or to specific unlawful incidents, criminal patterns or schemes. In those circumstances, personnel may rely on these specified characteristics only in combination with other appropriate factors.

It is biased policing if any officer's decisions/actions are based on the fact that the individual's demographics (e.g., race, income) are different from the demographics of the majority of the residents in the area in which the individual is found.

These restrictions on the use of these specified characteristics do not apply to law enforcement activities designed to strengthen the department's relationship with its diverse communities.

This order is not intended to inhibit officers from continuing to use their police skills to detect evidence of criminal activity during stops of persons and/or vehicles. Officers' abilities to uncover evidence of criminal activity during a stop have always been a valuable asset necessary in protecting the citizens of Virginia Beach. This order does not preclude officers from:

- A. Considering a person's apparent age when investigating a possible curfew violation or consumption/possession of alcoholic beverages.
- B. Conducting voluntary citizen contacts in order to solicit information or cooperation
- C. Conducting traffic safety check points in conformance with General Order 12.07, (Traffic Safety Check Points)

Officers shall treat every person with courtesy and respect. Officers shall provide the reason for the stop on every traffic stop, interdiction interaction, detention, arrest, or other non-consensual encounter of an individual.

Officers shall provide their name, badge number, and supervisor's name whenever the person stopped requests the information. All stops of citizens and vehicles shall be limited to the amount of time necessary to reasonably conduct the officer's official actions.

Supervisors shall ensure that all personnel in their command are familiar with the content of this policy and will be alert and respond to indications that biased policing is occurring. Violations of this policy shall result in training, counseling, discipline, or other remedial intervention as appropriate to the violation.

Whenever a person complains that an officer has engaged in biased policing, the officer will immediately notify the shift supervisor. The citizen should be advised of the procedure and a request made to the citizen to remain at the scene until a supervisor arrives. If the citizen chooses to leave prior to the arrival of a supervisor, the officer should offer the citizen the name and contact number of the supervisor. The shift supervisor will conduct a preliminary investigation to determine the validity of the complaint and offer an explanation of the officer's actions if appropriate. In all cases where a citizen alleges biased policing, the supervisor will document the encounter and forward the information to the Internal Affairs Bureau. In cases where the citizen is satisfied after the initial contact with a supervisor, the case will be classified as an information case by IA and concluded. In cases where the citizen indicates they are not satisfied or desire to make a complaint, the supervisor will complete the required reports in accordance with the Administrative Investigations Field Guide.

CALEA 1.2.9(c)

A documented annual administrative review of agency practices and citizen's concerns related to bias-based profiling will be conducted by the Internal Affairs Bureau and submitted to the Police Chief.

CALEA 1.2.9(b)

On an annual basis, sworn law enforcement personnel shall receive training on biased policing. Training should emphasize the corrosive effects and legal aspects of biased policing on individuals, the community and the agency.