



# Milford Police Department General Orders



## Unbiased Policing

### 1. Purpose

The purpose of this Order is to emphasize this Department's commitment to unbiased, equitable treatment of all persons in enforcing the law and providing police services.

### 2. Scope

This Order applies to all Department Personnel.

### 3. Policy

All persons having contact with members of this department shall be treated in a fair, and objective manner, without consideration of their race, color, national origin, religion, gender, sexual orientation or other individual characteristics or distinctions as defined in this Order.

### 4. Definitions

- A. *Biased Policing*: Discrimination in the performance of law enforcement duties or delivery of police services, based on personal prejudices or partiality of officers that interferes with their professional judgment, or training, departmental policy, or adherence to law. Bias-based policing—also referred to in some instances as “profiling”—includes but is not limited to prejudicial decisions affecting individuals in classes protected by federal and state law. It also includes, for example, persons with whom officers have such “personal involvement” that they cannot act impartially, as defined herein.
- B. *Equal Treatment*: In the present context, equal treatment means that persons, irrespective of race or other distinction, shall be treated in the same basic manner under the same or similar circumstances. This *does not* mean that all persons in the same or similar circumstances can or must be treated *identically* in all cases. Reasonable concessions and accommodations may be, and sometimes should be made, when dealing with individuals with physical or mental disabilities, injury, illness, infirmity, or similar conditions, or when information about them necessitates different treatment.
- C. *Police Service Functions*: Sometimes referred to as community caretaking functions, these are actions and activities that may not directly include enforcement of the law but that contribute to the overall well-being and safety of the public. These include but are not limited to such tasks as assistance at fire scenes, traffic accidents, and medical emergencies, lifesaving services, crime

prevention, preventive patrol, traffic control, public information, education, assistance, and similar activities.

## **5. Procedures**

### **A. Fair and Equal Treatment**

1. Bias-based policing is prohibited both in enforcement of the law and the delivery of police services.
2. Officers may not use race, ethnic background, gender, gender identity, sexual orientation, religion, economic status, age, or cultural group as the sole criteria for determining when or how to take enforcement action or provide police services.
3. Officers who cannot make objective judgments uninfluenced by prejudicial views or attitudes, intolerance to or preference for certain individuals that are unrelated to the situation at hand shall, as soon as reasonably possible, request that another officer assume responsibility for the matter and report same to a supervisor.
4. Nothing in this policy prohibits officers from using the traits and characteristics of persons, such as race, ethnicity, or national origin in combination with other facts to assist in establishing reasonable suspicion or probable cause in the same manner that officers would use hair color, height, weight, gender or other personal characteristics, for such purposes.

### **B. Incidents of Misconduct**

1. Officers who witness or who are aware of instances of bias-based policing shall report the incident to their supervisor.
2. The Department takes seriously allegations of bias-based policing. All such complaints shall be forwarded to the Department's Internal Affairs Office for investigation.
3. The Internal Affairs Office shall maintain data relating specifically to complaints of biased policing. Information shall be provided to the Chief of Police or his designee in a manner most suitable for administrative review, problem identification, and development of appropriate corrective action.

### **C. Training**

1. The Training Division shall document and review Department procedures and practices annually to ensure that they are compliant with this Order as society and customs change and evolve. The training division should consult with the Internal Affairs Office during this review and document any consideration of valuable civilian concerns and input that may have arisen.
2. Sworn and non-sworn personnel will receive basic and annual in-service training and, when deemed necessary, remedial training on subjects related to police ethics, cultural diversity, police-citizen interaction, standards of conduct, conducting motor vehicle stops, biased issues including legal aspects, and related topics suitable for preventing incidents of biased policing.
3. Any member of this Department who has been found to be in violation of this Order shall, in addition to any discipline imposed, receive retraining in police ethics and cultural diversity

Reference  
Conduct