



City of Racine Police Department

Policy and Procedure

Number: 403

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| Subject: Equal Protection | | |
| Date Issued: 06-01-07 | Effective Date: 01-12-12 | Revision Number: 1 |

POLICY:

Members of the Department shall not act in such a manner as to deprive any member of the community of the equal protection of the laws, and shall not evidence bias in the performance of their duties.

This regulation is intended to prohibit omissions, as well as specific actions which are based on citizens' race, ethnicity, color, sex, age, handicap, sexual orientation, political or fraternal affiliation, or economic status. Equality of treatment requires uniform and fair treatment of all individuals.

MEMBER:

1. Policing Impartially:
 - a. Investigative detentions, traffic stops, arrests, searches and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution. Officers **must** be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, arrests, non-consensual searches and property seizures.
 - b. Except as provided below, officers shall not consider race, ethnicity, color, sex, age, handicap, sexual orientation, political or fraternal affiliation or economic status in establishing either reasonable suspicion or probable cause. Similarly, except as provided below, officers shall not consider race, ethnicity, color, sex, age, handicap, sexual orientation, political or fraternal affiliation, or economic status in deciding to initiate even those nonconsensual encounters that do not amount to legal detentions or to request consent to search.
 - c. Officers may take into account the reported race, ethnicity, color, sex, age, handicap, sexual orientation, political or fraternal affiliation, or economic status of a specific suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race, ethnicity, color, sex, age, handicap, sexual orientation, political or fraternal affiliation, or economic status to a particular unlawful incident(s). Race, ethnicity, color, sex, age, handicap, sexual orientation, political or fraternal affiliation, or economic status can never be used as the sole basis for probable cause or reasonable suspicion.
 - d. Except as provided above, race, ethnicity, color, sex, age, handicap, sexual orientation, political or fraternal orientation, or economic status shall not be motivating factors in making law enforcement decisions.
2. Preventing Perceptions of Biased Policing. In an effort to prevent inappropriate perceptions of biased law enforcement, each officer should, when practical, do the following when conducting pedestrian and vehicle stops:
 - a. Be courteous and professional in all contacts with the public.
 - b. When practical, introduce yourself to the citizen (providing your name and that you are representing the City of Racine Police Department).
 - c. State the reason for the stop as soon as practical, unless providing this information will compromise the officer or public safety. In vehicle stops, the officer should, when practical, provide this information before asking the driver for his or her license.
 - d. Ensure that the detention is no longer than necessary to take appropriate action for the known or suspected offense, and that the citizen understands the purpose of reasonable delays.

- e. Answer any question the citizen may have beyond the normally required explanations that are provided, routinely, with the issuance of a citation.
- f. Provide his or her badge number when requested verbally, in writing, or on a business card.
- g. Courteously explain and/or apologize if he or she determines that the reasonable suspicion was unfounded (e.g., after and investigatory stop.)

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