Purpose

The purpose of this policy is to emphasize this University of Cincinnati Police Division’s (UCPD) commitment to unbiased, equitable treatment of all persons in enforcing the law and providing police services.

II. Policy

Personnel shall not consider race, ethnicity, national origin, gender, sexual orientation/identity, socio-economic status, religion, immigration status and/or age in carrying out law enforcement activities, except when seeking one or more specific persons who have been identified or described in part by any of the above listed characteristics. In those circumstances, personnel may rely on these characteristics only in combination with other appropriate factors.

It is biased policing if an 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 factors do not apply to agency activities designed to strengthen the Division’s relationship with its diverse communities.

III. Definitions:

Illegal profiling: Unequal treatment of any person including stopping, questioning, detention or arrest on the basis of their racial or ethnic characteristics, national origin, gender, sexual orientation, socio-economic status, religion, immigration status and/or age.

Articulable suspicion (reasonable suspicion): A particularized and objective basis, supported by specific and articulable facts, for suspecting a person of criminal activity; the degree of suspicion of criminal activity that justifies an investigative detention but not an arrest. It can be based on an officer’s observations, training and experience, or information received from credible outside sources. Articulable Suspicion cannot in any way be based on an individual’s race, ethnicity, national origin, gender, sexual orientation, socio-economic status, religion, immigration status, and/or age except when a description of a suspect includes such identifying characteristic.

Probable Cause: When facts and circumstances within an officer’s knowledge are sufficient to warrant a prudent person, or one of reasonable caution to believe that the suspect has committed, is committing, or is about to commit an offense. Probable Cause cannot in any way be based on an individual’s race, ethnicity, national origin, gender, sexual orientation, socio-economic status, religion, immigration status, and/or age, except when a description of a suspect includes such identifying characteristic.

IV. Procedure
A. All officers shall enforce the law, and stop and detain persons when there is reasonable suspicion that the person has committed, is committing, or is about to commit an infraction of the law. Officers must conduct themselves in a respectful manner in any and all contact with the public and in accordance with statute and applicable case law.

1. Officers will apply non-escalation and de-escalation techniques throughout the contact.

2. **Prohibition against profiling:** Officers are prohibited from stopping, questioning, detaining, searching, seizing property, seeking asset forfeiture, or arresting anyone on the basis of any type of bias. Officers will make stops and conduct field interviews only on the basis of reasonable suspicion, and shall make arrests only on the basis of probable cause.

3. This policy shall not preclude officers from engaging in a consensual encounter or offering assistance to the public. This policy does not prohibit stopping someone suspected of a crime based on a description that includes one or more of those identified attributes, or considering a person’s apparent age when investigating crimes where age would be a factor such as curfew or liquor law violations.

4. When an officer conducts a nonconsensual contact with a person on any traffic stop, suspicious persons contact, field interview or arrest the officer SHALL complete a [Contact Card, Form-10](#), which will include:

   - Whether the contact was the result of a dispatched call or an officer self-initiated contact
   - The report number and UCPD vehicle number responding
   - The date and time of contact
   - Location of the contact: on or off campus check box, address and/or building name/room number
   - The type of contact: driver, passenger, pedestrian
   - Information regarding the person contacted including: name, address, race/ethnicity, sex, date of birth or general age range, and veteran status. Race/ethnicity of the person contacted should be based on officer perception.
   - Vehicle information if applicable: year, make, model, color, state, and license plate
   - The primary reason for the stop: drug/alcohol inv, mental health, noise complaint, other, panhandler, suspicious person/vehicle, suspect, traffic stop, trespass, Terry stop
   - The secondary reason for the stop (if applicable): drug/alcohol inv, mental health, noise complaint, other, panhandler, suspicious person/vehicle, suspect, traffic stop, trespass, Terry stop (check all that apply)
   - The action taken which includes (check all that apply):
     - Advised: subject provided with information of a university policy or law
violation

- **Arrest**: physical seizure of an individual
- **Citation**: subject was issued a court summons
- **Code Referral**: the student is being referred to student conduct
- **CTW**: subject was given a written criminal trespass warning
- **HBO**: handled by other agency
- **Psych Hold**: taken into custody reference the Division’s Mental Health Response policy
- **Recite**: subject reissued a court summons from previous infraction
- **SOW**: sent on way, subject was directed to leave the area
- **Transport**: provided transportation to another location
- **Warning**: in lieu of a citation or arrest the individual was given a verbal warning

- Whether a search was conducted: none, frisk, person, property to include the duration (in minutes) of the frisk, search, and stop where applicable
- The legal basis for the search, or frisk if conducted: consent, dog alert, incident to arrest, inventory, plain view, probably cause, Terry stop/frisk, other
- Contraband if applicable: alcohol, currency, drugs or drug paraphernalia, stolen property, weapon, other, none (check all that apply)
- Whether there was any use of force
- Whether there is Body Worn or In-Car video of contact
- Officer badge number and supervisor badge number (in cases of multiple officers and/or supervisors responding, only primary officer should complete the contact card)

5. Contact submission

a. The submitting officer will;
   1) Complete and sign the contact card
   2) Complete an ARMS contact card report regarding the stop
   2) The contact card ARMS report will be submitted to a supervisor at the end of each shift or detail.

b. The approving supervisor will;
   1) Review the contact card for accuracy, completeness, and thoroughness.
   2) Sign the contact card
   3) Submit to Records Manager, to be entered into the database

B. Bias-free policing training:

   1. The agency will provide initial bias free policing training to new officers and annual training thereafter. In addition officers will receive training in professional stops.

C. Bias based profiling corrective measures: The Police Chief or his or her designee will be notified as soon as practical of any complaints of discrimination and/or violations of
civil rights. The Police Chief or his or her designee will notify the Vice President for Safety and Reform as soon as practical of any complaints of discrimination and/or violations of civil rights. Upon completion of the investigation of a complaint of this nature, the Vice President for Safety and Reform shall review the investigation to ensure it was conducted in accordance with established protocols for such investigations.

1. All complaints will be thoroughly investigated and if sustained, shall result in a recommendation for corrective action including, but not limited to counseling, training, punitive actions, and/or policy review and revision.

2. Any person may file a complaint with the Division if they feel they have been stopped or searched based on illegal profiling, or subjected to improper treatment and no person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because they have filed such a complaint.

D. Administrative review of agency practices:

1. Supervisory personnel will monitor officers’ activities through daily operational oversight, report and document review, BWC and In-Car camera reviews, and any other performance or conduct measures to ensure actions are compliant with policy, statutes, constitution, and are bias free.

2. By the 5th day of each month, supervisors will conduct a comprehensive review for their direct reports to include, but not limited to: traffic stop, suspicious person, field contacts and arrest data, in addition to Guardian Tracking System entries from the previous month to ensure compliance with this policy and to determine any abnormalities in officer’s performance or conduct. The review will be documented utilizing the Monthly Evaluation in Guardian Tracking. The monthly evaluation will be submitted for review by the chain of command. Any abnormalities discovered during the review will be reported to the chain of command via Internal Correspondence Memo, Form-5. The Police Chief will conduct his or her own review of these data and will report any sustained finding of potentially biased policing to the Director of Public Safety.

3. The Standards & Strategic Development Bureau Commander will conduct a biannual administrative review utilizing the information identified in Section D.2. The Police Division will analyze this data to ensure compliance with our philosophy of bias free policing. Where identified, individual or departmental corrective action may be warranted through developmental and training practices, or policy revision.

   a. The review of data is intended to identify patterns of conduct, by individual officers as well as the entire agency, and will include analysis of percentages of minorities or other protected classes; reason(s) for contact; dispositions of the contacts; and other factors as may be identified by the administration to include
any racial profiling or discrimination complaints.

b. This administrative review will be submitted to the Police Chief for review and approval of any recommendations.

c. The administrative review will be made available to the public upon request.