

SCHAUMBURG POLICE DEPARTMENT

Policy and Procedure Manual



31-90 BIAS FREE POLICING

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I. POLICY

The Schaumburg Police Department strives to provide law enforcement to our community with due regard to the racial and cultural differences of those we serve. It is, therefore, the policy and practice of the Schaumburg Police Department to provide law enforcement services and to enforce the law equally and fairly without discrimination toward any individual(s) or group because of their age, race, ethnicity or nationality, religion, gender, sexual orientation/identity, economic status, cultural group, disability or any other identifiable characteristics.

II. DEFINITIONS

- A. Racial or bias-based profiling: Discrimination in the performance of law enforcement duties or delivery of police services, including asset seizure and forfeiture efforts, based on personal prejudices or partiality of officers that interfere with their professional judgment, training, departmental policy, or adherence to law. Bias-based profiling, includes, but is not limited to, prejudicial decisions affecting individuals in classes protected by federal and state law.
- B. Equal treatment: Persons, irrespective of race, ethnicity, age, gender, religion, sexual orientation or any other distinction, will be treated in the same basic manner under the same or similar circumstances.

1. This does not mean that all persons in the same or similar circumstances can or must be treated identically in all cases.
 2. Reasonable concessions and accommodations may 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 services: 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, preventative patrol, public information, education, assistance, and similar activities.

III. FAIR AND EQUAL TREATMENT

- A. All persons having contact with members of this department will be treated in a nonpartisan, fair, equitable, and objective manner, in accordance with the law, and without consideration of their race, color, national origin or other individual characteristics or distinctions as defined in this policy.
- B. Biased profiling of individuals, including asset seizure and forfeiture efforts, is strictly prohibited by all members of the Schaumburg Police Department in both enforcement of the law and the delivery of police services.
1. Officers will not use race, ethnicity, 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.
 2. 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, or gender for such purposes.

IV. REPORTING REQUIREMENT

- A. Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any known instances of racial or bias-based profiling to a supervisor.
- B. Officers who witness or who are aware of instances of bias-based profiling will report the incident to their supervisor.

- C. The department takes allegations of bias-based profiling seriously. All complaints of bias-based profiling will be investigated thoroughly.
- D. The Office of Professional Standards will conduct an investigation of any complaint of bias-based profiling or discriminatory practice received in accordance with the Internal Investigations policy.
- E. The Office of Professional Standards will maintain data relating specifically to complaints of bias-based profiling. Information will be provided to the Chief of Police in a manner most suitable for administrative review, problem identification, and development of appropriate corrective action.
- F. All complaints and a record of the disposition or finding of any investigation will be maintained in the Office of Professional Standards.
- G. The Administration Manager, or his designee, will conduct a documented annual administrative review of activities with potential for bias to include, but not limited to, traffic and field contacts, asset forfeiture efforts, citizen complaints and any corrective measures taken. This report should not contain any identifying information regarding any specific complaint, citizen, or officer. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

V. TRAINING

- A. The training coordinator will ensure that all new recruits are aware of and in agreement with the policies and procedures established under this policy. Any changes in law or procedure, relating to discrimination, will be distributed to enforcement officers via email and/or roll call training.
- B. All department personnel will review this policy on an annual basis.
- C. All officers will receive initial and ongoing in-service training on subjects related to police ethics, cultural diversity, and police-citizen interaction, standards of conduct, conducting motor vehicle stops, and related topics suitable for preventing incidents of biased policing. If any deficiencies are noted during supervisory review or evaluation, the identified personnel will be required to attend remedial training as determined by the training unit or command staff.
- D. Department employees shall attend training programs in discretion, conflict resolution, cultural diversity, communication skills, and human relations provided by the village human resources department.

VI. TRAFFIC STOP DATA SHEETS

- A. Any traffic stop requires collection of specific data as outlined by Illinois State Law 625 ILCS 5/11-212.
- B. Information required to be captured by the individual officer will be documented on the Traffic Stop Data Sheet.
- C. The Administration Division will transmit the data collected to IDOT as required.

VII. MANDATORY PEDESTRIAN STOP REPORTING

- A. For purposes of this section, detention means all frisks, searches, summons, and arrests.
- B. Whenever an officer detains a pedestrian in a public place, he/she shall complete a Pedestrian Stop Data Sheet per 625 ILCS 5/11-212 (b-5). This form must be completed (regardless if the call is officer initiated, a call for service, etc.) by the end of shift, and turned in to the supervisor for submission to Records. The Administration Division is responsible for submission of data to IDOT as required.
- C. Additionally, a Stop Receipt will be issued to any person who is frisked or searched while temporarily detained or questioned in a public place without arrest or citation being issued, unless impractical, impossible or under exigent circumstances (725 ILCS 5/107-14).
- D. The officer will obtain an RD number and document the circumstances surrounding the stop in the narrative section. Officers will also indicate if a Stop Receipt was issued in the narrative.

VIII. SUPERVISOR RESPONSIBILITY

- A. Supervisors shall monitor those individuals under their command for any behavior that may conflict with the purpose of this policy and shall handle any alleged or observed violation of this policy in accordance with department policy.
- B. Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
- C. Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- D. Supervisors should ensure that no retaliatory action is taken against any member of this department who discloses information concerning racial- or bias-based profiling.

IX. DISCIPLINARY PROCEDURES

- A. Appropriate sanctions will be implemented for noncompliance of this policy.
- B. Officers who have sustained racial profiling or sustained discrimination complaints filed against them may also be reassigned.
- C. Failure to report any observed or known violations of this general order by any police department employee will result in disciplinary action.
- D. Complainants will not be subject to coercion, or threat of investigation, or malicious prosecution.