
	<b>Newington Police Department General Order</b>		<b>Number 26.9</b>
<b>Racial Profiling</b>			
<b>Chapter 26 – Rules of Conduct</b>			
<b>Date: May 15, 2017</b>	<b>Revised:</b>	<b>Page 1 of 3</b>	

1. Policy

- A. It is the policy and practice of the Newington Police Department to enforce the law equally and fairly without discrimination toward any individual(s) or group based on race, color, ethnicity, age, religion, gender, or sexual orientation.

2. Purpose

- A. The purpose of this General Order is to articulate the conduct that is required of all Newington Police Department employees in accordance with §54-11 of the Connecticut General Statutes.

3. Definitions:

- A. *Racial Profiling*: The detention, interdiction, or other disparate treatment of an individual solely on the basis of the racial or ethnic status of the individual.
- B. *Reasonable Suspicion*: Reasonable Suspicion is more than a mere hunch, but is based on a set of articulable facts and circumstances that would warrant a person of reasonable caution to believe that a violation of the law has been committed, is about to be committed, or is in the process of being committed, by the person or persons under suspicion. This can be based on the observations of a police officer combined with his or her training and experience, and/or reliable information received from credible outside sources.
- C. *Traffic Stop*: Intentionally stopping a moving motor vehicle by a police officer using flashing or revolving emergency lights, an audible warning signal, verbal commands, hand signals or other means for investigative or enforcement purposes.
- D. *Law Enforcement Administration System (LEAS)*: The department's Record Management and Computer Aided Dispatch System.


4. Procedure

- A. No officer of the Newington Police Department shall stop, detain, or search of any person when such action is solely motivated by considerations of race, color, ethnicity, age, religion, gender or sexual orientation, and the action would constitute a violation of the civil rights of the person.
- B. The race or ethnicity of an individual shall not be the sole factor in determining the existence of probable cause to place in custody or arrest an individual or in constituting a reasonable and articulable suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigatory stop of a motor vehicle.


5. Officer Responsibilities

- A. Any officer who conducts a traffic stop shall record (either on the State approved form or in LEAS) the following:

1. The date and time of the stop along with the specific geographic location of the stop.

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2. The type of stop (General, Blind, Spot Check) and the duration of the stop.
  3. The characteristics of race, color, ethnicity, gender and age of such persons, provided the identification of such characteristics shall be based on the observation and perception of the police officer responsible for reporting the stop and the information shall not be required to be provided by the person stopped.
  4. The nature of the alleged traffic violation or other violation that caused the stop to be made and the statutory citation for such violations.
  5. The disposition of the stop including whether a warning, citation or summons was issued, whether a search was conducted, the authority for any search conducted, the result of any search conducted, the statute or regulation citation for any warning, citation or summons issued and whether a custodial arrest was made.
- B. No personally identifiable information (such as operator's license number or name) may appear in a traffic stop statistic entry.
  - C. A complaint notice shall be given to the person stopped that if such person believes that such person has been stopped, detained or subjected to a search solely because of race, color, ethnicity, age, gender, sexual orientation, religion or membership in any other protected class, such person may file a complaint with the appropriate law enforcement agency, unless the police officer was required to leave the location of the stop prior to providing such notice in order to respond to an emergency or due to some other exigent circumstance within the scope of such police officer's duties.
6. **Supervisor Responsibilities**
    - A. Supervisors will ensure that each traffic stop enforcement action is accompanied by an entry into the LEAS system or the State approved form.
    - B. The Patrol Division Commander or his designee will conduct monthly checks of all department traffic stops to ensure the required data has been entered in the traffic stops data module in LEAS.
  7. **Responsibilities and Annual Review**
    - A. The Support Services Division will be responsible for complying with any statistical reporting requirements by the State of Connecticut or any authority authorized by the state to collect such information.
    - B. The Support Services Commander will conduct an annual documented administrative review of Department practices, which will include enforcement practices, any citizen concerns and suggestions for additional training. This review will include an assessment of citizen complaints against officers that allege any form of bias, to determine if there are any trends. The review will also examine enforcement activities (citations and arrests) in relation to race/ethnicity. The administrative review will note any trends or areas of concern.

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8. Complaints

- A. Anyone believing they were stopped, detained or searched solely because of their race, color, ethnicity, age, religion, gender, or sexual orientation may file a complaint with this department. The complaint will be recorded on a Traffic Stop Complaint form. The Shift Commander will accept the complaint and forward the complaint to the Chief of Police for review and investigation.
  
- B. A copy of each complaint received, and written notification of the review and disposition of such complaint, shall be provided to the Chief State's Attorney and the State of Connecticut Office of Policy and Management. No copy of such complaint shall include any other identifying information about the complainant, such as the complainant's operator's license number, name or address.

9. Training

- A. All department officers are required to attend all mandatory training on racial profiling as part of their POSTC certification. The department will also provide periodic training to department employees on cultural diversity and other issues that are sensitive to the citizens we serve.

By Order of: \_\_\_\_\_

Stephen M. Clark  
Chief of Police

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Date