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| HAVERFORD TOWNSHIP POLICE DEPARTMENT OPERATIONS MANUAL | |  |
| Issue Date February 2021 | Review Date February 2022 | Directive Number 1.8.3 |
| Accreditation Index: 1.8.3 | | Rescinds: Directive 1.8.3 of November 2019 |
| Chapter: One - Organization and Management Role | | Section: Eight – Disciplinary Procedures |
| Chief of Police: <i>John F. Viola</i> | | |

SUBJECT: BIAS BASED POLICING AND CONFLICTS OF INTEREST

I. PURPOSE

The purpose of this Directive is to provide all employees and especially sworn members with guidelines on Bias Based Policing and Conflicts of Interest.

II. POLICY

It is the policy of the Haverford Township Police Department that employees shall not use bias based policing practices, nor shall they ignore a potential conflict of interest. The use of bias based policing may lead to allegations of violations of the constitutional rights of the citizens we serve, undermines legitimate law enforcement practices and leads to claims of civil rights violations. Additionally, bias based policing alienates citizens, fosters distrust of law enforcement by the community, and invites media scrutiny, legislative action and judicial intervention. Employees should also be aware of a potential conflict of interest that may arise when dealing with incidents or people where the employee has a personal relationship with one or more of the parties involved. Employees, when possible, shall not engage in a law enforcement matter when there is a potential conflict of interest.

III. DEFINITIONS

Bias Based Policing – Also known as “racial profiling” or “bias based profiling” is any traffic stop, field contact, vehicle search, and asset seizure/forfeiture or enforcement action based solely on a common trait of a group. Common traits

include, but are not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable groups.

Conflict of Interest – Is a situation, incident or arrest where the employee or sworn member has such a “personal involvement” with the people or place that the member’s objectivity is compromised and they cannot act impartially. The appearance of compromised objectivity is just as much of a Conflict of Interest as actual compromised objectivity.

IV. PROCEDURES

A. Bias Based Policing

1. The Police Department does not condone the use of bias based policing in its enforcement actions. All members shall focus attention on the conduct of a person or other specific information. The selection of an individual based solely on a common trait of a group is strictly prohibited.
(PLEAC 1.8.3a)
2. Officers may not use race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group as the sole criteria for determining when or how to take enforcement action or provide police services.
 - a) Officers must be able to articulate specific facts and inferences drawn from those facts that establish reasonable suspicion or probable cause to take any enforcement action.

B. Bias Based Policing Training

1. All sworn members will receive initial and periodic in-house training, at least once every three years, in bias based policing. The training will address bias based policing issues, including legal aspects and consequences.
(PLEAC 1.8.3b)
2. This policy shall be reviewed with each sworn member to ensure compliance with all policy statements and procedures outlined in this Directive.
 - a) Supervisors will document this training by submitting a training report to their Division Commander listing the dates of training and the name of the officers trained on this Directive.
 - b) In the event that this Directive is revised involving procedural changes supervisors shall review this Directive

with their officers and document this training in the same fashion as outlined above.

- c) This training shall be conducted as soon as reasonably possible after the Directive has been issued.
- d) Division Commanders will ensure that a copy of the training documentation is forwarded to the Special Operations Unit to be incorporated into the training file.

C. Corrective Measures

- 1. All written allegations of bias based policing will be investigated through the Department's internal investigation system. Any substantial finding of bias based policing will result in corrective action. The corrective action may include disciplinary action and/or training.
(PLEAC 1.8.3c)
 - a) The Department takes seriously allegations of bias-based policing. All such complaints shall be handled in accordance with the procedures outlined in Directive 2.3.1 Investigation of Employee Misconduct.

D. Administrative Review

- 1. The Chief of Police, or his/her designee, shall conduct an annual administrative review of Departmental practices to include citizen concerns and analysis of any bias based policing complaints.
(PLEAC 1.8.3d)
 - a) The review shall identify what data was reviewed and shall present a conclusion based on the data.
 - b) This review shall be conducted to ensure the following:
 - (1) That any citizen concerns or complaints received have been appropriately handled.
 - (2) That necessary policy changes have been completed and training on these changes received.

E. Records Management

- 1. Officers shall place the race, gender and age of all parties involved in the incident on the incident report.
- 2. Officers issuing traffic citations shall indicate the race, gender and age of the violator being cited in the remarks area of the citation form. Officers issuing written or verbal warnings shall place this information in the appropriate boxes on the incident report form.

F. Authorized Use

1. Nothing in this Directive prohibits officers from using traits and characteristics of persons, such as race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group trait *in combination with other facts* to assist in establishing reasonable suspicion or probable cause in the same manor that officers would use hair color, height, weight, or gender for such purposes.

G. Conflicts of Interest

1. Unless exigent circumstances exist, sworn members shall not engage in a law enforcement matter when it involves a family member, friend, or relative such that the member's objectivity may be, or may appear to be, compromised.
2. Sworn Members who are personally involved in enforcement actions shall summon another member for assistance or intervention where reasonably possible. If the member is the victim of a crime they shall retain all rights afforded any other victim within the Commonwealth under the Pennsylvania Crime Victim's Act.

BY ORDER OF THE CHIEF OF POLICE