

**NORMANDY
POLICE DEPARTMENT
GENERAL ORDERS MANUAL**

TITLE: TRAFFIC PROCEDURES TOPIC: BIAS BASED PROFILING		GENERAL ORDERS: 7-16
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7-16. Bias Based Profiling

- A. **PURPOSE:** The purpose of this order is to insure compliance with RSMo. 590.650 and RSMo. 590.653 regarding racial profiling, as interpreted by the Attorney General of the State of Missouri.
- B. **POLICY:** It is the policy of the Normandy Police Department to aggressively and equitably enforce all traffic laws and ordinances, with the primary objective of enforcement being the promotion of traffic safety and the reduction of traffic crashes. All officers shall take appropriate enforcement action on each violation of law or ordinance witnessed, or reported to them. All enforcement actions will be accomplished in a firm, fair, impartial, and courteous manner, for both residents and no-residents alike. **Traffic stops will never be made on the basis of a motorist's race, ethnicity, or economic status, but rather on articulable suspicion or actual violation of law or ordinance.**

1. CRIMINAL PROFILING

When members of this department investigate crime, officers use every legitimate tool at their disposal to narrow the list of potential suspects so they can identify, find and arrest those responsible for the crimes, to bring them to justice and to keep them from committing more acts against society.

Criminal profiling can assist officers by narrowing the field of potential suspects in criminal investigations. Based on current and historical law enforcement investigative knowledge and experience, officers scrutinize a set of facts and factors common to specific (e.g., serial murder with a certain "signature") or general (e.g., narcotics trafficking) criminal activity. From these facts and factors, officers may be able to identify a type of person or group of people by gender, age, race, and/or by personality, social, and/or other characteristics that are most likely to be involved. This can result in fewer suspects to consider and a quicker resolution to the case.

How does criminal profiling differ from bias-based profiling? While criminal profiling does add elements (such as gender, race, or ethnicity) to a list of factors scrutinized to identify a suspect, these elements are only parts of several pieces of the puzzle that officers must put together to solve crime.

- C. **PROCEDURE:**

1. Each time an officer stops a driver of a motor vehicle pursuant to an investigative stop or a violation of any motor vehicle statute or ordinance, that officer shall enter Traffic Analysis Report into the REJIS/ITI/MULES computer system. This form records such information as age, gender, race, etc. (Note: Information is to be recorded for ONLY the vehicle's driver and forms do not need to be completed for any non-traffic car stop such as suspicious vehicles, etc.) Supervisors will perform a Traffic Analysis Inquiry Audit to ensure the accuracy of report entries made by officers, or;

When the computer entry method is not available to those requiring the entry of Traffic Analysis Report into the REJIS/ITI/MULES computer system, a Traffic Stop Information Form will be completed. This form records the same information as mentioned above. The following will occur when these forms are completed:

- a. No additional marking will be made on the face of the form.
- b. In cases where the racial profiling form cannot be electronically submitted, the forms will be submitted to the officer's immediate supervisor at the end of the officer's shift.
- c. The supervisor will inspect the form to insure complete reporting of the information, and place their DSN on the top of the form.
- e. At the beginning of every month the forms will be conveyed to REJIS/ITI/MULES where the data is scanned into the REJIS/ITI/MULES computer system.

C. VEHICLE STOP INFORMATION:

1. Approximate time of Stop: a.m. or p.m. - Hour and Minute
2. Date of Stop: Month, day and year
3. DSN - (Department Serial Number)
4. Event # (last four (4) numbers of the Uniform Traffic Ticket)

D. VEHICLE STOP INFORMATION FORM / COMPUTER ENTRY INSTRUCTIONS: The Officer will manually enter the data into the REJIS/ITI/MULES computer system, or, if a computer is not available, the Officer will carefully complete all fields on the form using a black pen.

1. Was race of driver observable prior to stop? Yes or No
2. Probable cause/ violation for vehicle stop (mark all that apply);
 - a. Moving violation
 - b. Equipment
 - c. License

If "moving", indicate category of violation (mark all that apply)

- 1). Speed,

- 2). Improper Lane usage,
 - 3). Following too close,
 - 4). CMV (Commercial Vehicle Equipment)
 - 5). Failure to Signal,
 - 6). Other moving violation,
3. Action resulting from vehicle stop (mark all that apply);
- a. Citation,
 - b. No Action,
 - c. Warning,
4. Driver's race/minority status (based on visual observations only);
- a. White,
 - b. American Indian/Alaskan Native,
 - c. Unknown,
 - d. Hispanic/Latino
 - e. Asian
 - f. Black/African American
5. Driver's Age:
- a. Under 18
 - b. 18-29
 - c. 30-39
 - d. 40 or above
6. Driver's gender;
- a. Male,
 - b. Female
7. Location of vehicle stop;
- a. US Highway,
 - b. State Highway,
 - c. Interstate Highway,

- d. County Road,
 - e. City Street,
 - f. Other
8. Was driver a resident of the jurisdiction? Yes or No
9. Did the vehicle stop result in a search? Yes or No
- If "No", please proceed to number 14.
- If "Yes", probable cause/authority for search (mark all that apply)
- a. Consent,
 - b. Inventory,
 - c. Odor of Drugs/Alcohol,
 - d. Incident to an arrest,
 - e. Plain view of contraband,
 - f. Drug dog alert,
 - g. Reasonable suspicion ("Terry Stop")
 - h. Other,
10. What was searched?
- a. Driver,
 - b. Property
 - c. Both
11. Approximate duration the search lasted:
- a. 0-15 minutes
 - b. 16-30 minutes
 - c. 31+ minutes
12. If search was performed, was there any contraband discovered? Yes or No
- a. If yes, what type? (Mark all that apply)
 - 1). Illegal drugs/paraphernalia,
 - 2). Currency,
 - 3). Weapon,
 - 4). Stolen property,

5). Other

13. Was driver arrested? Yes or No
14. If arrest was made, crime(s) alleged (mark all that apply)
 - a. Outstanding warrant,
 - b. Drug violation,
 - c. Resisting arrest,
 - d. Offense against person,
 - e. DWI/BAC,
 - f. Property crime,
 - g. Traffic Violation,
 - h. Other.

E. Review and Analysis of Traffic Stop Statistical Data

1. A monthly report is prepared by REJIS/ITI/MULES documenting the statistics on the Traffic Stop information forms. The report is submitted to the Chief of Police.
2. The Chief will review the monthly REJIS/ITI/MULES report to determine if any officer displays a pattern of stopping motorists of any race, in disproportionate numbers to the population of that race which resides or travels within Normandy.
3. If the analysis indicates that an officer engages in race based traffic stops, within ninety days of the review, the Chief of Police, with the officer's immediate supervisor, will;
 - a. Counsel the officer,
 - b. Provide appropriate training for the officer,
 - c. Take appropriate disciplinary action if warranted
4. Report to the Attorney General
5. The Chief of Police must annually report traffic stop statistical data to the Attorney General of the State of Missouri. The report will be in the format prescribed by the Attorney General and will be submitted no later than March 31 of the following calendar year.
6. The Attorney General shall analyze the annual reports of law enforcement agencies and provide a report of the findings no later than June 1st of each year. Commanders shall review this report as an aid in determining if officers within the department are complying with this General Order.

F. Annual Training. Annual training in bias based profiling will be provided for all commissioned, licensed peace officers, which have the authority to enforce vehicle/traffic laws, as mandated by the POST Program.

Adopted by Command Staff

By Order of:

(Signature on File) _____
Colonel Frank A. Mininni
Chief of Police

02/20/2016
Date