Racial or Bias-Based Profiling

402.1 PURPOSE AND SCOPE

This policy provides guidance to Department employees and establishes appropriate controls to ensure that employees of the Crystal Lake Police Department do not engage in racial or bias-based profiling in traffic contacts, field contacts, in assest seizure and forfeiture efforts, or violate any related laws while serving the community.

402.1.1 DEFINITIONS

Definitions related to this policy include:

Racial or bias-based profiling - An inappropriate reliance on factors such as race, ethnicity, national origin, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group as a factor in deciding whether to take law enforcement action or to provide service.

402.2 POLICY

The Crystal Lake Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group.

Race, ethnicity or nationality, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law.

402.3 RACIAL OR BIAS-BASED PROFILING PROHIBITED

Racial or bias-based profiling is strictly prohibited. However, nothing in this policy is intended to prohibit an officer from considering factors such as race or ethnicity in combination with other legitimate factors to establish reasonable suspicion or probable cause (e.g., suspect description is limited to a specific race or group).

402.4 EMPLOYEE RESPONSIBILITY

Every employee 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.

402.4.1 REASON FOR DETENTION

Officers detaining a person shall be prepared to articulate sufficient reasonable suspicion to justify a detention, independent of the individual’s membership in a protected class.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the officer’s reasonable suspicion or probable cause for the detention, as applicable.

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Nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

402.4.2 REPORTING STOPS

The Chief of Police or the authorized designee shall ensure stop cards are created and available to employees, and contain all of the information required by 625 ILCS 5/11-212 for traffic and pedestrian stops. Officers shall complete one of these cards when they detain, conduct a pat-down search of or arrest a pedestrian in a public place, issue a summons to a pedestrian, search a pedestrian's property or conduct a traffic stop.

In addition, the officer should issue a stop receipt providing the reason for the pedestrian stop which contains the officer's name and badge number.

402.5 SUPERVISOR RESPONSIBILITY

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 the Personnel Complaints Policy.

(a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.

(b) Supervisors should periodically review MAV recordings, MDC data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.

1. Supervisors should document these periodic reviews.
2. Recordings that capture a potential instance of racial or bias-based profiling should be appropriately retained for administrative investigation purposes.

(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 employee of this department who discloses information concerning racial or bias-based profiling.

402.6 STATE REPORTING

The Records Unit shall compile the required data on the standardized law enforcement data compilation form and transmit the data to the Illinois Department of Transportation. This shall be done by March 1 for data collected during July through December of the previous calendar year, and by August 1 for data collected during January through June of the current calendar year (625 ILCS 5/11-212).

402.7 ADMINISTRATION

Each year, the Patrol Unit Commander shall review the efforts of the Department to prevent racial- or bias-based profiling and submit an overview, including public concerns and complaints, to the Chief of Police. This report should not contain any identifying information regarding any specific

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complaint, citizen or officers. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors shall review the required state reporting forms and the annual report and discuss the results with those they are assigned to supervise.

402.8 TRAINING

All new employees will receive initial training on racial or bias-based profiling. Additionally, annual training on racial or bias-based profiling and review of this policy should be conducted as directed by the Training Unit.

402.9 CONFORMITY

This policy was written with input from the Illinois Law Enforcement Training and Standards Board’s Executive Institute’s “Executive Tool Box, Biased-Based Law Enforcement Summit: Building Solutions.”

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