

SPRINGFIELD POLICE DEPARTMENT

<input checked="" type="checkbox"/> DEPARTMENT DIRECTIVE <input type="checkbox"/> DIVISION DIRECTIVE		DIRECTIVE NUMBER 18-146	ROC-10
<input checked="" type="checkbox"/> GENERAL ORDER <input type="checkbox"/> NOTICE <input type="checkbox"/> SPECIAL ORDER <input type="checkbox"/> LEGAL NOTICE			ISSUE DATE 01/17/18
SUBJECT: PROHIBITION AGAINST DISCRIMINATORY PRACTICES		DISTRIBUTION A,B	REVISION DATES 08/07/01; 10/30/08
			EFFECTIVE DATE 01/17/18
REFERENCES:			RESCINDS: ROC-10/08-019

I. PURPOSE

The purpose of this directive is to establish policy and procedures regarding the prohibition of discriminatory practices in the detaining, stopping, or searching of persons and vehicles, or in asset seizure or forfeiture actions taken by officers of the Springfield Police Department.

II. POLICY

- A. It is the policy of the Springfield Police Department that officers will not effect a stop, detention, or search of any person, or take any asset seizure or forfeiture action when such action is motivated by the race, color, ethnicity, age, gender, national origin, disability, religion, economic status or sexual orientation of the person, and the action would constitute a violation of the civil rights of that person.
- B. Specifically, officers of the Springfield Police Department will not engage in any activities that are discriminatory or indicative of a practice of profiling.

III. DEFINITIONS

- A. Discriminatory Practice - The stopping, detention, search, interdiction, or other disparate treatment of an individual based solely on the race, color, ethnicity, age, gender, national origin, disability, religion, economic status or sexual orientation status of the individual.
- B. Stop - The restraining of an individual's liberty by physical force or a show of authority.
- C. Detention - The act of stopping or restraining an individual's freedom to walk away, approaching and questioning an individual outside the realm of a consensual encounter, or stopping an individual suspected of being personally involved in criminal activity.
- D. Search - Looking for or seeking out that which is otherwise concealed from view.

IV. DISCRIMINATORY PRACTICES

- A. Discriminatory practices against individuals are strictly prohibited:
 - 1. In the absence of a specific report, the race, color, ethnicity, age, gender, national origin, disability, religion, economic status or sexual orientation of an individual will not be a factor in determining the existence of probable cause to place in custody or arrest an individual, in constituting a reasonable and articulable suspicion that an offense has been or is being committed so as to justify the detention or search of an individual, the investigatory stop or search of a motor vehicle or in taking any asset seizure or forfeiture action against an individual,
 - 2. In response to a specific credible report of criminal activity, the race, color, ethnicity, age, gender, national origin, disability, religion, economic status or sexual orientation of an individual will not be the sole factor in determining the existence of probable cause to place in custody or arrest an individual.

- B. Stops, searches, detentions or asset seizure or forfeiture actions based on race, color, ethnicity, age, gender, national origin, disability, religion, economic status or sexual orientation or any other prejudicial basis by any member are prohibited:
 - 1. The detention of any individual that is not based on factors related to a violation of or investigation of a violation of federal law, Illinois statutes, City Code of Ordinances, or any combination thereof is prohibited,
 - 2. No officer shall stop, detain, or search any person, or take any asset seizure or forfeiture action against a person when such action is motivated because of a person's race, color, ethnicity, age, gender, national origin, disability, religion, economic status or sexual orientation, unless they have probable cause to stop, detain or search an individual with one or more of those identified attributes:
 - a. An officer may consider a person's apparent age when investigating a possible age dependent violation, i.e. curfew, underage drinking, etc.;
 - b. Officers are frequently alerted to look for suspects and repeat offenders that fit a specific description.

V. AUTHORITY AND RESPONSIBILITY

- A. Each supervisor will be responsible for continually monitoring and examining all areas of police actions and activities under their purview to provide that the dictates of this directive are being followed and to discover any indications of discriminatory practices.
- B. Any employee who believes there is, or is made aware of, any violation of this directive will immediately contact their supervisor.
- C. All reports or complaints of discriminatory practices will be documented and investigated in accordance with the provisions of General Order ROC-03/Internal Investigations.

VI. COMMUNITY OUTREACH

- A. The Chief of Police or his designee will be the Department's community liaison for discrimination issues.
- B. The Internal Affairs Division will complete an annual report on discrimination complaints. This report will be completed by February 28 of the year following the year being reviewed, and will be sent to the Chief of Police for his review. The annual summary report will include but not be necessarily limited to:
 - 1. Listing each complaint,
 - 2. Describe citizens concerns,
 - 3. Explaining any action(s) taken,
 - 4. Recommending training needs,
 - 5. Recommending policy changes.

VII. TRAINING

- A. All Department personnel will annually receive training about the harms of discriminatory practices, including the review of this policy. This training will be intended to supplement the initial cultural diversity and awareness training officers received in the basic recruit training academy.
- B. In concert with appropriate disciplinary action, counseling and/or additional training shall be designated for officers with any sustained discrimination complaint filed against them.

VIII. DISCIPLINARY PROCEDURES

- A. Appropriate sanctions will be implemented for noncompliance of this policy, up to and including termination of employment.

- B. In addition to required remedial training, officers who have sustained discrimination complaints may also be reassigned.
- C. Failure to report any observed or known violations of this written directive order by any Department employee will result in disciplinary action.
- D. The fact that the Department has received a number of complaints against a particular officer shall not, in and of itself, constitute grounds to proceed with discipline under this General Order.

KENNETH D. WINSLOW, CHIEF OF POLICE

Reviewed for Legal Sufficiency: _____
Assistant Corporation Counsel