



# *Community College of Rhode Island*

## *Campus Police Department*

**Knight Campus, Warwick - Flanagan Campus, Lincoln – Liston Campus,  
Providence - Newport County Campus, Newport, Rhode Island**

ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
GENERAL	11 January 2022	320.02	12 April 2018
SUBJECT TITLE		SUBJECT AREA	
IMPARTIAL POLICING		OPERATIONS	
RIPAC REFERENCE		PREVIOUSLY ISSUED DATES	
2.8		17 January 2021, 28 January 2020, 5 November 2019, 12 April 2018	
DISTRIBUTION	REEVALUATION DATE		PAGES
ALL	ANNUALLY		5

### IMPARTIAL POLICING

#### I. PURPOSE

The purpose of this policy is to unequivocally state that profiling based solely on race, ethnicity, sexual orientation, disability, religious belief, age, gender or other group characteristic in law enforcement is expressly prohibited.

This policy is intended to assist members in accomplishing this total mission in a way that respects the dignity of all persons and yet sends a strong deterrent message to actual and potential lawbreakers that if an individual breaks the law they should expect to be held accountable.

#### II. POLICY

It is the policy of the CCRI Campus Police Department that all members are strictly prohibited from engaging in bias-based profiling activities with regard to any law

enforcement efforts, including traffic contacts, field contacts, asset seizure and forfeiture efforts.

Members of this department will ensure that all individuals shall be treated equally and will not participate in, nor condone, the disparate treatment or profiling based solely on race, ethnicity, sexual orientation, disability, religious belief, age or gender. Bias-Based policing undermines legitimate law enforcement efforts and fosters distrust among the community it serves. Individuals will only be stopped or detained when there exists reasonable suspicion to believe they have committed, are committing or are about to commit an infraction of the law.

The use of Bias-Based profiling for stopping, detaining or searching motorists or passengers is strictly prohibited. The use of race or ethnicity shall not be used, in whole or in part, for stopping or searching motorists on the public highways except when such status is used in combination with other identifying factors in seeking to apprehend a specific suspect whose race or ethnicity is part of the description of the suspect.

This policy shall not prohibit, as part of a criminal investigation, the use of an individual's race, nationality, ethnicity, gender, sexual orientation, disability, religion, or any combination of such factors as a part of a specific description of a suspect, witness or victim.

This policy is not intended to preclude officers from engaging in community care-taking functions, such as observing a substance leaking from a vehicle or a flat tire; checking on someone who appears to be ill, lost or confused; or considering a person's apparent age when investigating curfew regulations, graduated driver's license provisions or liquor law violations.

### III. DEFINITIONS

- A. **Bias-Based Profiling** – The detention, interdiction or other disparate treatment of an individual on the basis, in whole or part, of the racial or ethnic status of such individual, except when such status is used in combination with other identifying factors in seeking to apprehend a specific suspect whose racial or ethnic status is part of the description of the suspect, which description is timely and reliable.
- B. **Articulate/Reasonable Suspicion** – Reasonable suspicion is a legal standard in that a person has been, is or is about to be engaged in criminal activity based on specific and articulable facts and inferences. It is the basis for an investigatory or Terry stop by the police and requires less evidence than probable cause.
- C. **Probable Cause** – In the United States criminal court system, probable cause refers to facts or evidence that would cause a reasonable officer to believe that a crime or wrong-doing has been, is being or will be committed.

- D. **Field Interview/Contact** - The brief detainment of an individual, whether on foot or in a vehicle, based upon reasonable suspicion for the purposes of determining the individual's identity and resolving an officer's suspicions.
- E. **Discretionary Search** – Generally, inventory searches are considered non-discretionary as long as there is a departmental policy which requires inventories. Searches incident to arrest are discretionary if the arrest is based upon the officer's discretion, but are not if the arrest is based upon an existing warrant. Searches based upon a search warrant are not discretionary.

#### **IV. DISCUSSION**

##### A. Examples of a discretionary search include:

1. Searches based upon observations by the officer, which lead the officer to conclude probable cause to search exists.
2. Searches based upon a reasonable suspicion that the individual to be searched may be armed or that an area accessible to that individual may contain a weapon.
3. Searches based upon an inventory when the inventory is not conducted pursuant to department policy, or where such policy gives the officer discretion whether or not to perform an inventory.
4. Searches based upon a “search incident to arrest” when the arrest is based upon observations by the officer and not upon a preexisting arrest warrant or other legal authority.
5. Searches based upon consent obtained from the person searched.

##### B. Examples of searches that are not discretionary include:

1. Searches conducted pursuant to a properly issued search warrant directing that a search be conducted.
2. Searches following an arrest based upon the existence of an arrest warrant, bench warrant or other existing legal authority.
3. Searches based upon an inventory conducted pursuant to a departmental policy requiring such an inventory be conducted.

#### **V. PROCEDURE**

- A. All officers are instructed not to abuse their discretion to selectively target specific groups and/or individuals based solely on their race or other biased-based factors.
- B. In response to a report of criminal activity or as part of an officer's self-initiated activities, Biased-Based Profiling will not be a factor in the following instances:

1. Determining the existence of probable cause to arrest a person.
  2. Conducting a “Terry” Stop and/or Frisk.
  3. Conducting Traffic Enforcement Activities.
  4. Conducting foot pursuits.
  5. Conducting any temporary detention of a person or vehicle.
  6. Conducting Field Interviews.
  7. Conducting any search of a person and/or vehicle.
  8. In any asset seizure or forfeiture proceedings.
  9. In any community care-taking function.
  10. As part of any independent decision to conduct an investigation and/or complete a police report.
- C. Upon completion of any discretionary search, an officer will document the search in an Incident Report, articulating the reasonable suspicion or probable cause for the search.

## **VI. MONITORING / RESPONSIBILITIES**

- A. Supervisors of all ranks are responsible for providing effective supervision to reasonably monitor those under their command to ensure compliance with this directive and to take corrective action where indicated.
- B. Employees witnessing behavior contrary to this directive are required to take immediate action to end the behavior.
- C. Employees witnessing behavior contrary to this directive must immediately report their knowledge of the incident to their immediate supervisor in writing. If their supervisor is the subject of the report or in the absence of their supervisor, the employee must report this behavior to another supervisor or to the next level in the chain of command.
- D. Officers found to violate the prohibition against Biased-Based policing may be subject to the following corrective measures to include, but not limited to: counseling, re-training, disciplinary action and/or dismissal.
- E. The Chief of Campus Police, or his/her designee, shall conduct an annual documented review of the agency’s practices, citizens’ concerns and community concerns regarding Biased-Based policing and other discriminatory practices.

## **VII. TRAINING**

- A. At a minimum, effected personnel shall receive initial and annual training pertaining to Biased-Based policing, to include legal issues and policy review.

B. All Training conducted pursuant to this policy shall be documented.

## **VIII. COMPLAINTS OF BIAS BASED POLICING**

- A. Any person may file a complaint with the department alleging a violation of this policy. No person shall be discouraged, intimidated and/or coerced from filing a complaint with the department.
- B. Any employee contacted by a person who wishes to file such a complaint shall provide the citizen with a copy of the department Citizen Complaint Form and/or a copy of General Order #130.01 Internal Complaint Investigations.
- C. Bias-Based profiling complaints will be investigated and documented by the department.



Sean T. Collins  
Chief of Campus Police

Link:

Department Citizen Complaint Form <https://powerdms.com/docs/824696>