



# CITY OF MARICOPA POLICE DEPARTMENT

Administration

Policy  
1.35

Page 1 of 2

Rev. 09/28/2020

Unbiased Policing

## 1. PURPOSE

The purpose of this order is to provide Maricopa Police Department (MPD) personnel with procedures for unbiased policing.

## 2. GENERAL GUIDELINES

All persons having contact with members of MPD shall be treated in a nonpartisan, fair, equitable, and objective manner, in accordance with law, and without consideration of their race, color, national origin, or other individual characteristics or distinctions as defined in this policy.

MPD is committed to unbiased, equitable treatment of all persons in enforcing the law and providing police services. Maintenance of public trust and confidence in the police is critical to effective policing and is achieved largely through fair and equitable treatment of the public. This is a basic requirement of law enforcement and the right of all persons in our society.

## 3. DEFINITIONS

**Biased Policing** - Discrimination in the performance of law enforcement duties or delivery of police services, based on personal prejudices or partiality of officers that interferes with their professional judgment, or training, departmental policy, or adherence to law. Bias-based policing (also referred to in some instances as “profiling”) includes, but is not limited to, prejudicial decisions affecting individuals in classes protected by federal and state law. It also includes, for example, persons with whom officers have such “personal involvement” that they cannot act impartially, as defined herein.

**Equal Treatment** - In the present context, equal treatment means that persons, irrespective of race or other distinction, shall be treated in the same basic manner under the same or similar circumstances. This does not mean that all persons in the same or similar circumstances can or must be treated identically in all cases. Reasonable concessions and accommodations may be, and sometimes should be made, when dealing with individuals with physical or mental disabilities, injury, illness, infirmity, or similar conditions, or when information about them necessitates different treatment.

**Police Service Functions** - Sometimes referred to as community caretaking functions, these are actions and activities that may not directly include enforcement of the law but that contribute to the overall well-being and safety of the public. These include but are not limited to such tasks as assistance at fire scenes, traffic accidents, and medical emergencies, lifesaving services, crime prevention, preventive patrol, traffic control, public information, education, assistance, and similar activities.

## 4. PROCEDURES

### Fair and Equal Treatment

- Bias-based policing is prohibited both in enforcement of the law and the delivery of police services.
  - Officers will be especially sensitive to bias based treatment during traffic contacts, field contacts, and in asset seizure and forfeiture efforts.
- Officers may not use race, ethnic background, gender, gender identity, sexual orientation, religion, economic status, age, or cultural group as the sole criteria for determining when or



# CITY OF MARICOPA POLICE DEPARTMENT

Administration

Policy  
1.35

Page 2 of 2

Rev. 09/28/2020

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how to take enforcement action or provide police services.

- 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.
- Officers shall take equivalent enforcement actions and provide equivalent services to all persons in the same or similar circumstances.
- Officers who cannot make objective judgments uninfluenced by prejudicial views or attitudes, intolerance to or preference for certain individuals that are unrelated to the situation at hand shall, as soon as reasonably possible, request that another officer assume responsibility for the matter.
- Unless exigent circumstances exist, officers shall not engage in a law enforcement matter when it involves a family member, friend, or relative such that the officer's objectivity may be, or may appear to be, compromised.
  - Officers who are personally involved in enforcement actions shall summon other officers for assistance or intervention where reasonably possible unless the officer is the victim of a crime.
- Nothing in this policy prohibits officers from using the traits and characteristics of persons, such as race, ethnicity, or national origin in combination with other facts to assist in establishing reasonable suspicion or probable cause in the same manner that officers would use hair color, height, weight, or gender for such purposes.

### Complaints

- The department takes seriously allegations of bias-based policing. All such complaints, including anonymous complaints, shall be forwarded to the appropriate supervisor for investigation.
- Employees who witness or are aware of instances of bias-based policing shall report the incident to their supervisor.
- Division Commanders shall maintain data relating specifically to complaints of biased policing.
  - A documented annual administrative review of agency practices including citizen concerns, problem identification and any corrective measures taken will be completed by Command Staff.

### Training

- All officers will receive annual in-service training to include legal aspects.
- When deemed necessary and as defined by the City of Maricopa Human Resources, remedial training, may be provided on police ethics, cultural diversity, police-citizen interaction, standards of conduct, conducting motor vehicle stops, and related topics suitable for preventing incidents of biased policing.