



Colorado Springs Police Department General Order 1303

Section 13: Bias Based Profiling Prohibited -- Community Involvement

Active Date: 8/29/2018

Supersedes Date: 5/30/2013

Last Review Date: N/A

.01 Purpose

To state unequivocally, that bias based profiling in law enforcement is totally unacceptable, to provide guidelines for officers of the Colorado Springs Police Department to prevent such occurrences, and to protect our officers from unwarranted accusations when they act within the dictates of the law and policy. Examples of prohibited biased based profiling include, but are not limited to, traffic contacts, field contacts, asset seizures and forfeiture efforts, etc.

.02 Cross Reference

[GO 210, Traffic Law Enforcement](#)

[GO 1301, Treatment of the Public](#)

[GO 1302, Community Relations](#)

[GO 1620, Complaints and Internal Investigations](#)

[GO 1655, Police Officer Conduct](#)

.03 Discussion

A fundamental right guaranteed by the Constitution of the United States, to all who live in this nation, is the right to equal protection under the law. Along with this right to equal protection is the fundamental right to be free from unreasonable searches and seizures by government agents. Citizens are free to walk and drive our streets, highways, and other public places, without police interference, as long as they obey the law. They also are entitled to be protected from crime and from the actions of reckless and careless drivers.

The Colorado Springs Police Department is charged with protecting these rights for all, regardless of race, color, ethnicity, gender, sexual orientation, physical handicap, religion economic status, age or other belief system.

Because of the nature of their business, law enforcement officers are required to be observant, to identify unusual occurrences and law violations, and to act upon them. It is this proactive enforcement that keeps our citizens free from crime, our streets and highways safe to drive upon, and that detects and apprehends criminals.

This policy is intended to assist personnel of the Colorado Springs Police Department 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 they break the law, they are likely to encounter the police.

.04 Policy

It is the policy of the Colorado Springs Police Department to patrol in a proactive manner, to aggressively investigate suspicious persons and circumstances, and to actively enforce the motor vehicle laws, while ensuring that citizens 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.

.05 Definitions

Bias Based Profiling - The detention, interdiction, or other disparate treatment of any person, on the basis of their race, color, ethnicity, gender, sexual orientation, physical handicap, religion, economic status, age or other belief system.

Reasonable Suspicion: Suspicion that is more than a mere hunch, but is based on a set of articulable facts and circumstances that would warrant a person of reasonable caution in believing that an infraction of the law has been committed, is about to be committed, or is in the process of being committed, by the person or persons under suspicion. This can be based on the observations of a police officer combined with his or her training and experience, and/or reliable information received from credible outside sources.

.10 Departmental Procedures

All affected personnel will receive initial and annual training in biased issues, including legal aspects; proactive enforcement tactics, including training in officer safety, courtesy, and cultural diversity; laws governing search and seizure, and interpersonal communications skills.

Training programs will emphasize the need to respect the rights of all citizens to be free from unreasonable government intrusion or police action.

Traffic enforcement will be accompanied by consistent, ongoing supervisory oversight to ensure that officers do not go beyond the parameters of reasonableness in conducting such activities.

Motorists and pedestrians shall only be subjected to stops, seizures or detentions upon reasonable suspicion that they have committed, are committing, or are about to commit an infraction.

.12 Providing Business Cards

After the conclusion of a motorist or pedestrian stop, when no enforcement action is taken (i.e. no summons issued), and as a courtesy to the members of our community, officers will provide the individual(s) with his/her business card. Officers will write the date and time of contact clearly on any part of the card. In order to establish uniformity, C.S.P.D. business cards should provide some basic information. The following items should be printed on the business card:

- Officer's name
- IBM number
- Division
- Division phone number
- Officer's voice mail number

Officers may include their email address, pager numbers, or any other appropriate information as listed on the standard City of Colorado Springs Business Card Order Form.

In addition to providing the business card, officers should document on the call screen the reason for the contact and a brief summary of their actions.

.20 Complaints

Any persons may file a complaint with the department if they feel they have been stopped or searched based on bias-based profiling, and no persons shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because of having filed such a complaint.

Any department employee contacted by a person who expressly states a desire to file such a complaint, shall provide the citizen with complete information on the process to file a complaint, and shall record the person's name, address, and telephone number if the complainant is willing to provide it. The department employee will then report the contact to his or her supervisor prior to the end of the shift.

Any supervisor receiving such a report shall make every reasonable effort to contact the complainant and initiate a Complaint Receipt Form. The supervisor shall then conduct a preliminary inquiry as outlined in [GO 1620.30](#). If the supervisor can reasonably determine the employee may have violated this policy, the supervisor will also complete an Allegation of Employee Misconduct form, and forward all documentation to the Internal Affairs Unit for further investigation. If, after conducting a preliminary inquiry, the supervisor determines the employee did not violate this policy, the supervisor will forward his/her investigation and recommendation through the chain of command. Apparent violations of other Department policies will be handled in accordance with existing procedure.

All bias-based profiling complaints shall be reviewed, with the complainant being informed of the results of the department's review within a reasonable period of time. The report and the reviewer's conclusion shall be filed with Internal Affairs, and shall contain findings and any suggestions for disciplinary action or changes in policy, training, or tactics.

.30 Annual Report

Per CRS 24-31-309 (4), the Colorado Springs Police Department will compile an annual report of all complaints alleging bias-based profiling. **This report will be a documented annual administrative review of agency practices including citizen concerns and any corrective measures taken.** This report will not include the names of peace officers or the names of persons alleging profiling. This report will include any concerns reference agency practices, including citizen concerns, and will be made available to the public upon request.