



Colorado Springs Police Department

1303 Fair and Impartial Policing

Section 1300 – Community Involvement

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.01 Purpose

The purpose of this policy is to prohibit biased police tactics by all Colorado Springs Police Department (CSPD) personnel and to accomplish the following:

- To reaffirm the department's commitment to fair and impartial policing.
- To stipulate clear policy guidance regarding prohibited activities as well as required actions.
- To inform employees about the concept of implicit bias and its potential effects on criminal justice decision making.
- To require documentation of all allegations and/or complaints of bias on the part of any CSPD personnel followed by an investigation.

.02 Cross Reference

[GO 740 Determining Probable Cause](#)

[GO 750 Citizen Contacts](#)

[GO 755 Field Interviews](#)

[GO 758 Handling of Street Gang Contacts](#)

[GO 1620 Complaints and Internal Investigations](#)

[City of Colorado Springs Civilian Policies and Procedures Manual](#)

[City of Colorado Springs Sworn Policies and Procedures Manual](#)

[Colorado Revised Statutes § 24-31-309 and § 24-31-315](#)

.03 Discussion

Effective policing requires officers and members of the community to work proactively together as partners to prevent crime and protect the community. The police-community partnership thrives through communication, trust, and fairness. When the public perceives the criminal justice system to be fair and equitable, they are more likely to engage and cooperate with authorities when crimes are committed, which in turn leads to safer communities.

.04 Policy

- Profiling, as defined in [C.R.S. § 24-31-309](#), or any form of biased policing, is prohibited in all police actions and services.
- Persons having contact with members of the department will receive fair and impartial treatment, meaning they will be treated in a fair, impartial, equitable, and objective manner, in accordance with the law, and without consideration of their individual demographics, as defined in this policy.
- CSPD personnel will not discourage citizens from filing complaints of biased policing or profiling and shall avoid actions that could be interpreted to constitute intimidation, coercion, or threatened retaliation against citizens as an attempt to discourage or prevent them from filing complaints.
- All allegations of biased policing will be thoroughly and objectively investigated in accordance with [GO 1620 Complaints and Internal Investigations](#).

.05 Definitions

Biased Policing: Discrimination in the performance of law enforcement duties or delivery of police services, based on personal prejudices or partiality of officers toward classes of individuals or persons based on individual demographics.

Fair and Impartial Treatment: The belief that persons, irrespective of race or other distinctions, 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. Reasonable concessions and accommodations may be, and sometimes should be made, when dealing with individuals with physical or mental disabilities, injury, illness, or similar conditions, or when information about them necessitates different treatment.

Implicit Bias: Attitudes that affect understanding, actions, and decisions in an unconscious and unintentional manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control. Implicit bias is a universal human condition, and its effects can be found among any professional group, not just police employees.

Individual Demographics: Personal characteristics, to include, but not limited to race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, cultural group, or political status.

Profiling: As defined in Colorado Revised Statutes § 24-31-309, the practice of relying solely on race, ethnicity, gender, national origin, language, sexual orientation, gender identity, age, disability in (a) determining the existence of probable cause to place in custody or arrest an individual or in constituting a reasonable and articulable suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigatory stop of a

vehicle, or (b) determining the scope, substance, or duration of an investigation or law enforcement activity to which a person will be subjected.

.10 Fair and Impartial Policing Practices

Department members shall not discriminate, improperly initiate or prolong police interventions, or determine levels of police service on the basis of individual demographics, including race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, cultural group, or political status.

Officers will base investigative detentions, traffic stops, arrests, searches, and property seizures on a standard of reasonable suspicion or probable cause, as the situation dictates, in accordance with the United States Constitution, statutory law, controlling case law, and CSPD policies. Officers must be able to articulate the specific facts and circumstances that support these police actions. Except as provided below, officers shall not consider demographic information in establishing either reasonable suspicion or probable cause, nor will officers consider demographic information in deciding to initiate other law enforcement actions.

A commitment to fair and impartial policing practices also means the department is committed to looking for effective, evidence-based methods for countering implicit bias. Implicit bias is different than overt discrimination, in that it is automatic associations and stereotypes about certain groups of people. Implicit bias occurs without discriminatory intent; rather, it can cause people to *unintentionally* and *unknowingly* respond to situations in biased ways. It is important that department members are aware of implicit bias and its potential impact in police interactions. Recognizing potential disparate outcomes of implicit bias is particularly important in discretionary and proactive police activities, such as vehicle and pedestrian stops. Decisions about where and how to engage in proactive police activities should be data-driven, in accordance with the principles of intelligence-led policing.

When Demographic Information can be used in Policing Actions

Officers may take into account the reported demographic information of a specific suspect or suspects based on trustworthy, locally relevant information that links a person/persons of specific individual demographics to a particular unlawful incident(s). Individual demographic information can never be used as the sole basis for reasonable suspicion or probable cause.

CRS § 24-31-309(3) also provides that a peace officer may use age when making law enforcement decisions if the peace officer is investigating a juvenile status offense.

Nothing in this policy limits an officer's ability to interview witnesses or to have routine conversations or consensual contacts with citizens.

Preventing Perceptions of Biased Policing

In an effort to prevent or reduce perceptions of biased policing and to mitigate potential effects of implicit bias, each officer should do the following when conducting pedestrian and vehicle stops:

- Be courteous and professional.
- Introduce yourself to the citizen, and what agency you are with, and state the reason for the stop as soon as practical, unless providing this information will compromise officer or public safety. In vehicle stops, the officer will provide this information before asking the driver for license, registration, and insurance.
- Ensure that the detention is no longer than necessary to take appropriate action for the known or suspected offense, and that the citizen is told the purpose of any reasonable delays.
- Whenever time and circumstances permit, attempt to answer questions the citizen may have, including explaining options for traffic citation disposition, if relevant.
- Provide your name and badge number when requested, in writing (such as on a business card).
- At the conclusion of a traffic stop, when no enforcement action is taken, the officer will provide a business card to the driver with contact information in accordance with CRS 24-31-309 (4)(a). Please note the provisions of this law shall not apply to authorized undercover operations. State law requires that the business card include identifying information about the peace officer, including the peace officer's name, division, badge/other identification number, and a telephone number that may be used to report any comments regarding the traffic stop.

.15 Duty to Report

Personnel who are aware of instances of profiling or biased policing are required to promptly report the incident to a supervisor. Where appropriate, personnel are encouraged to intervene at the time the profiling or biased policing incident occurs.

.20 Complaints of Biased Policing or Profiling

Supervisors shall take the appropriate and necessary steps to investigate alleged violations of this policy, in accordance with General Order 1620, Complaints and Internal Investigations. If an allegation is made that relates to this policy, it must be thoroughly investigated under this policy and specifically cited as such in Blue Team. It is prohibited for supervisors to investigate and document such an allegation under another policy. This does not mean that additional policies cannot be cited; rather, it means this policy must be included in the investigation and documentation. If an employee is alleged to have engaged in profiling or biased policing, only a deputy chief or the chief can determine that an alleged violation of this General Order is not applicable in a particular complaint.

Additionally, federal law prohibits recipients of Justice Department funding from discriminating against individuals or groups on the basis of individual demographics, and requires CSPD to provide public notice of a person's right to file a complaint with the federal Office for Civil Rights. At a minimum, CSPD will provide this notice on its public website, alongside other complaint information.

.25 Training

The City's Human Resources Department provides training on harassment and discrimination prevention to all full-time employees during the onboarding process, as well as annual refresher training for all employees on topics related to bias, diversity, and inclusion.

In the CSPD Police Academy, all police recruits will receive at least eight hours of training on law enforcement ethics and anti-bias policing. Additionally, all officers receive annual anti-bias training in compliance with CRS § 24-31-315(1).

Training provided through CSPD will be documented by the Training Academy, while City-provided training will be documented by the City Human Resources Department.

.30 Data Collection and Reporting

The Internal Affairs Section will maintain data relating specifically to complaints alleging violations of this policy. The Internal Affairs Section will be responsible for completing required reporting on alleged violations of this policy, including the following:

1. The Internal Affairs Section will compile, on at least an annual basis, any information derived from telephone calls received due to the distribution of business cards and that allege profiling, in compliance with CRS § 24-31-309(4)(c). This information will be available to the public but will not include the names of peace officers or the names of persons alleging profiling.
2. The Internal Affairs Section will conduct a documented annual administrative review of agency practices pertaining to this policy, including citizen concerns and any corrective measures taken. Internal Affairs may request the assistance of the Planning and Compliance Section in completing this review. An administrative review is a documented review of incidents or occurrences, which should indicate whether policy, training, equipment, or disciplinary issues should be addressed.