

	POLICY & PROCEDURE	SERIES # <b>544</b>	PAGE 1 OF 2
	SUBJECT:		EFFECTIVE DATE <b>05/09/05</b>
	<b>BIAS BASED PROFILING</b>		OVERSIGHT <b>Prof. Standards</b>
DISTRIBUTION <b>ALL MANUALS</b>		AMENDS/SUPERSEDES/CANCELS P&P # 544 dated 03/27/02	

I. POLICY:

It is the policy of the Hampton Police Division that the practice of racial or ethnic profiling or profiling by any other single common trait by officers of this agency is strictly prohibited. (Also known as bias based profiling.) It is the policy of this department to patrol in a proactive manner, to aggressively investigate suspicious persons and circumstances and to actively enforce state and federal laws and local ordinances. 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. Officers shall focus on an individual's conduct, behavior and/or specific suspect information rather than any single common trait as a basis for initiating contact.

II. PURPOSE:

The purpose of this policy is to set forth procedures that outline the Hampton Police Division's position that discrimination of any kind is strictly prohibited. The Hampton Police Division does not condone or promote the use of any bias based profiling system during enforcement activities.

III. DEFINITIONS:

- A. Bias Based Profiling – A law enforcement-initiated action that relies upon a common trait of a group. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable trait group.
- B. Racial or Ethnic Profiling – Any law enforcement-initiated action that relies solely upon the race or ethnicity of an individual rather than the behavior of that individual.

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APPROVED:  
CHIEF OF POLICE



## IV. PROCEDURE:

- A. Sworn personnel shall ensure all detentions, traffic stops, arrests, searches and seizures and asset seizure and forfeiture efforts are based upon the standard of reasonable suspicion or probable cause as required by law.
  - 1. All officers of the Hampton Police Division shall exercise their law enforcement powers in a manner that does not unlawfully discriminate against individuals based on race, ethnicity or any other single common trait.
  - 2. No officer shall endorse or act upon stereotypes, attitudes or beliefs that an individual's race, ethnicity or any other single common trait increases the probability that an individual will act unlawfully.
  - 3. Officers may consider race, ethnicity or any other single common trait in deciding to take law enforcement action only when the officer possesses specific suspect information that is reliable and is likely to lead to the discovery of that individual.
- B. Training – Training on biased based profiling and related matters, shall be provided to all officers annually by the Training Unit. This training shall provide guidance regarding the consideration of race, ethnicity or any other single common trait in the agency's enforcement activities and individual contacts, and ensure that officers are familiar with legal requirements and mandates.
- C. Disciplinary Action – Any member of this department found to be in violation of this policy will be subject to disciplinary action in accordance with departmental disciplinary policies.
- D. Annual Reviews – The Professional Standards Branch Commander shall initiate an annual administrative review of agency practices, which will include citizen concerns and citizen complaints. The Division's Command Staff will complete this review. The Professional Standards Branch Major, or his designee, shall conduct an immediate review of any citizen complaint of biased based profiling at the time the complaint is filed.

