

# St. Joseph, Missouri Police Department



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SUBJECT: Bias-Based Policing		
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## I. Policy

It is the policy of the St. Joseph Police Department to follow the provisions set forth under RSMo., Section 590.650 concerning Bias Based Policing. The Department prohibits the practice of utilizing violations of vehicle law(s) or other ordinances as a pretext for investigating minority or other identifiable groups for other violations of criminal law. Bias-based profiling is prohibited in traffic contacts, field contacts, and in asset seizure and forfeiture efforts. The purpose of this policy is to affirm the St. Joseph Police Department's commitment to unbiased policing and to reinforce procedures that serve to maintain public confidence by providing service and enforcing laws in a fair and equitable manner. It establishes guidelines the department will follow to comply with the laws of the United States and the state of Missouri regarding bias based profiling.

## II. Definitions

### A. Biased Based Profiling

Police initiated action based solely on race, ethnicity, national origin, citizenship, religion, age, gender identity, sexual orientation, religion, economic status, disability or any other identifiable group characteristics rather than articulable suspicion or probable cause.

### B. Minority Group

Individuals of African, Hispanic, American Indian or Asian descent (Revised Statutes of Missouri 590.650.1).

## III. Procedures

### A. Officer Responsibility

1. Officers shall not engage in biased based policing activities. All department members are responsible for promptly reporting any known instances of biased policing to a supervisor. Where appropriate, officers are encouraged to intervene at the time the biased policing incident occurs.

2. Investigative detentions, traffic contacts, arrests, searches and seizures or forfeiture of property by officers will be based on a standard of reasonable suspicion or probable cause as required by the United States Constitution and Missouri State Statute.
  - a. Officers shall not consider race, ethnicity, national origin, religion, age, gender identity or sexual orientation in establishing reasonable suspicion, probable cause or as a basis for requesting consent to search.
  - b. Officers may take into account the reported race, ethnicity or national origin of a specific suspect or suspects in the same way they would use specific information regarding age, height, weight, build, clothing, etc about specific suspects.
  - c. Officers should only consider these specified characteristics when credible and timely intelligence, relevant to the locality, links a person(s) of a specified characteristic to specific unlawful incidents, criminal patterns or schemes. In those circumstances, personnel may rely on these specified characteristics in combination with other appropriate factors.
3. Each time a sworn member stops a driver of a motor vehicle, a Department-approved bias based policing report shall be completed and turned in.

**B. Support Services Commander Responsibility**

1. The Support Services Commander shall ensure that the data described in IIA above (for each calendar year) is compiled into a report and forwarded to the Missouri Attorney General's Office. The Department shall utilize the report format approved by the Attorney General's Office. A copy of this report shall be forwarded to the Chief of Police.
2. This report shall be submitted to the Attorney General's Office no later than March first of the following calendar year.
3. The Support Services Commander shall conduct an annual review of the Missouri Attorney General's report. This review shall:
  - a. Determine whether patterns of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups in the area they perform their duties exist.
  - b. If the review reveals a pattern, the Support Services Commander will forward the information to the Chief of Police.

**C. Administrative Responsibility**

1. The Policy Compliance Sergeant will conduct an annual review of the department's bias based policing policy.
2. The Professional Standards Officer shall provide the Chief of Police with an annual report including a statistical summary of complaints related to bias-based profiling or other discriminatory practices.
3. The Chief of Police will conduct an annual administrative review based on the reports provided by Support Services, Professional Standards, as well as citizen concerns made available through other means (Police Advisory Committee meetings, etc.). The Chief of Police may request an Internal

Affairs investigation if the review indicates individual or Department practices are not consistent with the intent of this directive.

4. The results of the investigation shall be forwarded to the Chief of Police and the appropriate Division Commander.

**D. Supervisory Responsibility**

1. Supervisors who become aware of officers utilizing bias-based profiling in traffic stops or other enforcement activities either through the previously mentioned report or their own observations are responsible for initiating corrective measures.
2. Disciplinary action of a member found to have engaged in bias-based profiling will follow Department policy. In addition, the member's supervisor may utilize the Human Resources Department, requesting that appropriate training be provided to the member.
3. Documented counseling/training will be provided within ninety days.

**E. Training Officer Responsibility**

1. The Department Training Officer shall be responsible for ensuring agency personnel receive required annual training consisting of the following:
  - a. (1) hour bias based policing;

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Chris Connally, Chief of Police

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Date