

---

## Racial or Bias-Based Profiling

### 401.1 PURPOSE AND SCOPE

This policy provides guidance to Department members and establishes appropriate controls to ensure that employees of the Urbana Police Department do not engage in racial or bias-based profiling or violate any related laws while serving the community.

#### 401.1.1 DEFINITIONS

Definitions related to this policy include:

**Racial- or bias-based profiling** - An inappropriate reliance on factors such as race, ethnicity, national origin, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group as a factor in deciding whether to take law enforcement action or to provide service.

**Detention** - The act of stopping or restraining an individual's freedom to leave or walk away or approaching and questioning an individual beyond a consensual encounter.

**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/her training and experience and/or information received from an outside source.

### 401.2 POLICY

The Urbana Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group.

Race, ethnicity or nationality, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law.

Taking enforcement actions based solely on race, color, ethnicity, national origin, or sexual orientation is strictly prohibited by this Department. It shall never be used as the sole reason for arrest or detention.

### 401.3 RACIAL OR BIAS-BASED PROFILING PROHIBITED

Racial or bias-based profiling is strictly prohibited. However, nothing in this policy is intended to prohibit an officer from considering factors such as race or ethnicity in combination with other legitimate factors to establish reasonable suspicion or probable cause (e.g., suspect description is limited to a specific race or group).

# Urbana Police Department

## Policy Manual

### *Racial or Bias-Based Profiling*

---

#### **401.4 MEMBER RESPONSIBILITY**

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any known instances of racial- or bias-based profiling to a supervisor.

Officers shall treat every person with courtesy and respect. An officer shall provide his/her name and ID number whenever any citizen requests such information.

##### **401.4.1 REASON FOR DETENTION**

Officers detaining a person shall be prepared to articulate sufficient reasonable suspicion to justify a detention, independent of the individual's membership in a protected class.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the officer's reasonable suspicion or probable cause for the detention, as applicable.

Nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

##### **401.4.2 REPORTING TRAFFIC STOPS - CITATION ISSUED**

Each time an officer issues a uniform traffic citation or warning citation for a violation of the Illinois Vehicle Code (625 ILCS 5/1-100 et seq.), the officer shall record, at a minimum (625 ILCS 5/11-212 (a)):

- (a) The name, address, gender and the officer's subjective determination of the race of the person stopped. The person's race shall be selected from the following list: Black or African-American, Hispanic or Latino, American Indian or Alaska Native, Asian, Native Hawaiian or other Pacific Islander, White.
- (b) The alleged traffic violation that led to the stop of the motorist.
- (c) The make and year of the vehicle stopped.
- (d) The date and time of the stop, beginning when the vehicle was stopped and ending when the driver was free to leave or taken into physical custody.
- (e) The location of the traffic stop.
- (f) Whether consent to search the vehicle, driver, passenger or passengers contemporaneous to the stop was requested, and, if so, whether consent was given or denied.
- (g) Whether a search contemporaneous to the stop was conducted of the vehicle, driver, passenger or passengers, and, if so, whether it was with consent or by other means.
- (h) Whether a police canine performed a sniff of the vehicle, and, if so (625 ILCS 5/11-212(a) (6.2)):
  1. Alerted to the presence of contraband, and, if so,
  2. An officer searched the vehicle, and, if so,

# Urbana Police Department

## Policy Manual

### *Racial or Bias-Based Profiling*

---

3. Contraband was discovered, and, if so,
  4. The type and amount of contraband.
- (i) Whether contraband was found during a search, and, if so, the type and amount of contraband seized.
  - (j) The name and badge number of the issuing officer.

At the conclusion of every traffic stop the officer shall submit a traffic citation, warning ticket, or FI card documenting the required information for the traffic stop data collection. An IDOT (sticker) form is to be completed.

#### **401.4.3 REPORTING STOPS**

The Chief of Police or the authorized designee shall ensure stop cards are created and available to members, and contain all of the information required by 625 ILCS 5/11-212 for traffic and pedestrian stops. Officers shall complete one of these cards when they detain, conduct a pat-down search of or arrest a pedestrian in a public place, issue a summons to a pedestrian, search a pedestrian's property or conduct a traffic stop.

#### **401.5 SUPERVISOR RESPONSIBILITY**

Supervisors shall monitor those individuals under their command for any behavior that may conflict with the purpose of this policy and shall handle any alleged or observed violation of this policy in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
- (b) Supervisors should periodically review MAV recordings at a minimum of three times a month to ensure compliance with this policy.
  1. Supervisors should document these periodic reviews.
  2. Recordings that capture a potential instance of racial- or bias-based profiling should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should ensure that no retaliatory action is taken against any member of this department who discloses information concerning racial- or bias-based profiling.

#### **401.6 STATE REPORTING**

The Services Division shall compile the required data on the standardized law enforcement data compilation form and transmit the data to the Illinois Department of Transportation. This shall be done by March 1 for data collected during July through December of the previous calendar year, and by August 1 for data collected during January through June of the current calendar year (625 ILCS 5/11-212).

# Urbana Police Department

## Policy Manual

### *Racial or Bias-Based Profiling*

---

#### **401.7 ADMINISTRATION**

The Urbana Police Department administration shall continuously review the efforts of the department to prevent racial or bias based profiling and make changes when needed through policy and training.

Supervisors shall review the traffic stop statistics each month. These statistics will be forwarded monthly to the supervisors

#### **401.8 TRAINING**

Training on racial- or bias-based profiling and review of this policy should be conducted periodically.

#### **401.9 CONFORMITY**

This policy was written with input from the Illinois Law Enforcement Training and Standards Board's Executive Institute's "Executive Tool Box, Biased-Based Law Enforcement Summit: Building Solutions."