


HALES CORNERS POLICE DEPARTMENT

	GENERAL ORDER		
	TITLE		
	RACIAL PROFILING		
	NUMBER: 86	EFFECTIVE 09/15/03	LAST UPDATE 09/15/03
DISTRIBUTION All	REVIEW PERIOD Annual	REFERENCE	
<p><i>NOTE: This General Order is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by the department, and then only in a non-judicial administrative setting.</i></p>			

I. PURPOSE

The purpose of this General Order is to define racial profiling and to clearly mandate a prohibition on racial profiling by members of the Hales Corners Police Department. This General Order also defines supervisory responsibility in the investigation of alleged violations.

II. POLICY

The Hales Corners Police Department does not condone nor will it tolerate race-based generalizations and acts, racial profiling, or racial epithets.

III. BACKGROUND

- A. Sworn officers have a broad range of discretion when performing their official duties. It is important for this agency to be fair and impartial in law enforcement.
- B. The Hales Corners Police Department values compassion, integrity, professionalism; and it emphasizes service, courtesy, diversity, and cultural awareness.
- C. These values and emphasis specifically contradict behavior and activities which would negatively generalize about people on the basis of gender, race, or ethnicity.

IV. DEFINITIONS

Race-Based Generalizations – Broad, stereotypical conclusions about a person based on race or ethnicity.

Racial Epithets – Derogatory phrases and terms, which are used to describe a person's race or ethnicity.

Racial Profiling – Any police-initiated actions which relies upon gender, race, ethnicity, or national origin of an individual rather than the behavior of that individual, or information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.

Two corollary principles follow from adopting this definition of racial profiling:

1. Sworn officers and police personnel may not use racial or ethnic stereotypes as factors in selecting whom to stop and whom to search.
2. Sworn officers and police personnel may use race or ethnicity to determine whether a person matches a description of a particular person.


V. GENERAL PROVISIONS

A. All personnel shall avoid race-based generalizations and acts, and shall:

1. Treat all persons contacted with dignity and respect.
2. Take enforcement action based upon reasonable suspicion and probable cause.
3. Refrain from using inappropriate phrases or terms.
4. Report all infractions by co-workers to his/her supervisor.

VI. PROCEDURES

- A. Sworn officers and police personnel decisions to stop, detain, question, further investigate, search, warn or arrest an individual will be based upon reasonable suspicion or probable cause and will not be based upon racial profiling.
- B. Sworn officers and police personnel shall use reasonable suspicion or probable cause in the stopping of motor vehicles and in identifying the occupants of a motor vehicle. Motor vehicle stops will not be based upon racial profiling.
- C. Sworn officers and police personnel may use gender, race, ethnicity or national origin to determine whether a person matches a description of a particular suspect or when such individual factors are previously identified characteristics of a person whom officers or police personnel are lawfully attempting to locate.
- D. Racial epithets shall not be used in conversation or written communications unless they are being reported or spoken by another person during the completion of an official report, or as testimony at an official hearing.
- E. Supervisors shall record any reports of infractions and investigate breaches of public confidence manifested by racial profiling, the uttering of racial epithets, or other forms of discrimination.

<p>ISSUED BY:</p>  <p>Eric R. Cera Chief of Police</p>	<p>HISTORY:</p> <p>Effective: 09/15/2003 Reviewed: 07/20/2004 Reviewed: 06/05/2008 Reviewed: 05/24/2012 Reviewed: SJM 09/12/2016 Reviewed: ERC 03/06/2020</p>	
--	--	--