

# COLLEGE of CHARLESTON

## OFFICIAL POLICY

8.1.1

Bias Based Profiling

10/1/2020

### **Policy Statement**

The College of Charleston, Department of Public Safety, does not train, endorse, support, or condone any type of A Bias Based Profiling@ in its interactions with the public. Members of this department shall not consider race, national origin, citizenship, religion, ethnicity, age, gender, or sexual orientation as the primary reason in determining whether individuals should be stopped, searched or property seized.

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### **Policy Manager and Responsible Department or Office**

Public Safety

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### **Purpose/Reason for the Policy**

To prohibit the stopping, detaining, search, and attempt to search any vehicle, person or asset seizure or forfeiture based upon an individual=s race, national origin, citizenship, religion, ethnicity, age, gender, or sexual orientation. **(CALEA 1.2.9.a)**

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## Departments/Offices Affected by the Policy

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## Procedures Related to the Policy

### Procedure

1. Traffic stops and interactive patrols are vital law enforcement responsibilities. In addition to deterring motor vehicle violations and reducing motor vehicle accidents, they provide law enforcement with increased visibility and deter more serious criminal activity. All stops shall conform to the College of Charleston, Department of Public Safety policies and procedures.
2. Officers are prohibited from stopping, detaining, arresting, searching, or attempting to search anyone based solely upon the person=s race, national origin, citizenship, religion, ethnicity, age, gender, or sexual orientation. Officers shall base all such actions on a reasonable suspicion that the person or an occupant of a vehicle committed a motor vehicle violation or other offense.
3. This policy is not intended to inhibit officers from continuing to use their police skills to detect evidence of criminal activity during stops. Officer's abilities to uncover evidence of criminal activity during a traffic stop have always been a valuable asset necessary in protecting the citizens of South Carolina.
4. This policy and procedure does not preclude officers from:
  - a. considering a person=s apparent age when investigating a possible liquor law violation; or
  - b. making voluntary citizen contacts in order to solicit information or cooperation.
5. Officers shall treat every person with courtesy and respect. Officers shall state the reason for the stop on every traffic stop, interdiction, detention, arrest, or other non-consensual treatment of an individual. Officers shall provide their name, unit number, and supervisor=s name whenever the person being stopped requests the information. All traffic and citizen stops shall be limited to the amount of time necessary to reasonably conclude the officer's official actions

6. Whenever a person complains that an officer has engaged in practices prohibited by this order, the officer will immediately notify the shift supervisor. The shift supervisor, if available and time permits, may respond to the scene of the incident and conduct a preliminary investigation to determine the validity of the complaint. The supervisor will ensure that the complaint is documented in conformance to the guidance laid out in Policy #28, Internal Affairs. **(CALEA 1.2.9c)**

7. On an annual basis, sworn members of the Department will receive training on discriminatory profile issues, including legal issues. **(CALEA 1.2.9b)**

8. The agency will have a documented annual administrative review of agency practices including citizen concerns. **(CALEA 1.2.9d)**

9. All levels of supervision shall take prudent steps to ensure sworn members in their command do not engage in discriminatory profiling practices, and will take appropriate corrective measures to ensure that this activity does not continue. This should include clearly stating to sworn members that discriminatory profiling will not be tolerated, ongoing reviews of enforcement activities, reports with a focus to identify possible profiling patterns, and encouraging appropriate enforcement tactics. **(CALEA 1.2.9.c)**

10. Supervisors are expressly prohibited from condoning or encouraging discriminatory profiling as well as ignoring patterns of discriminatory profiling on the part of any member of the department.

11. The chief/Director will ensure an annual administrative review of agency practices will be conducted to examine this agency's commitment to impartial policing. **(CALEA 1.2.9.d)**.

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### Related Policies, Documents or Forms

**▲Bias Based Profiling@:** is the selection, interdiction, detention, arrest, or other nonconsensual treatment of an individual based primarily upon one ' s race, national origin, citizenship, religion, ethnicity, age, gender, economic status, or sexual orientation.

**▲Reasonable Suspicion@:** also known as articulable 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 or her training and experience, and/or reliable information received from credible outside sources.

**Issue Date:2/8/16**  
**Date of Policy Review:10/1/2020**

**Next Review Date:10/8/2025**

**POLICY APPROVAL**

**(For use by the Office of the Board of Trustees or the Office of the President)**

Policy Number: 8.1.1

President or  
Chairman, Board of Trustees



**Date: 10/1/2020**