

# **ERIE COUNTY SHERIFF'S OFFICE POLICIES AND PROCEDURES**

## **1.01 (A) BIAS-FREE POLICING**

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**Issued: 06/20**

**Revised: 03/21**

### **BIAS-FREE POLICING POLICY STATEMENT**

It is the purpose of this policy to provide direction to employees of this agency for the provision of the delivery of law enforcement services that are fair, objective, and bias-free.

### **DEFINITION**

**Bias-based policing**—an inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement services or enforcement.

### **POLICY**

It is the policy of the Erie County Sheriff's Office to be 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 office to provide bias-free law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

Bias-based policing is strictly prohibited. However, nothing in this policy is intended to prohibit an employee from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident or incidents, specific criminal patterns, or specific schemes.

### **GENERAL EMPLOYEE RESPONSIBILITIES**

Every employee of this agency shall perform his/her duties in a fair and objective manner and is jointly and equally responsible to promptly report any suspected or known instance(s) of bias-based policing to a supervisor. Employees will, when reasonable to do so, intervene to prevent any biased-based actions by another member.

Employees making contact with any person shall always be prepared to articulate sufficient reason for that contact, independent of any protected characteristics of the individual being contacted. To the extent that written documentation would otherwise be completed, such as an incident report, the involved employee will include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any employee to document a contact that would not otherwise require documentation.

Each time an employee makes a self-initiated traffic stop, the employee will ensure that the gender, race, and/or ethnicity of the driver of the vehicle is recorded.

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### **SUPERVISOR RESPONSIBILITIES**

In addition to the above, supervisors will monitor those employees under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with this agency's employee discipline policy.

1. Supervisors will discuss any issues that arise relating to this policy with the involved employee and in a timely fashion. At the least, the topic of such discussions will be noted in the involved employee's personnel file.
2. Supervisors will, and as elsewhere required by policy, periodically review at random mobile video (dash-cam) recordings, body worn camera recordings, and any other audio/video recordings that document contact between an employee and the public to ensure compliance with this policy. These reviews will be properly documented.
3. Any recordings or data that are discovered that capture a potential instance of bias-based policing will be appropriately preserved for any ensuing investigative purposes.
4. Supervisors shall immediately initiate investigations of any actual or alleged violations of this policy.
5. Supervisors will take prompt and reasonable steps to address any retaliatory action taken against any employee who reports alleging an occurrence of bias-based policing.

### **ADMINISTRATION**

Each year a review shall be conducted of the agency's efforts to provide fair, objective, and bias-free policing under this policy, and such information shall be included by the Sheriff in the agency's annual report, including general information concerning any documented public concerns and/or complaints. The annual report will not contain any identifying information about any specific complaints, citizens or

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employees. The report will be reviewed to identify any changes in training or operations that should be made to improve service and to eliminate bias-based policing

Supervisors should review this information in the annual report and discuss the results with those whom they supervise.

#### **TRAINING**

Training on fair and objective policing, and a review of this policy, will be conducted annually on topics that may include field contacts, traffic stops, search issues, asset seizure and forfeiture, interview techniques, cultural diversity, discrimination, and community support.

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