JOPLIN POLICE DEPARTMENT	2-10 STANDARD OPERATING GUIDELINE
SUBJECT: Bias-Based/Fair and Impartial Policing	**REVIEW DATE: Annually - February**
EFFECTIVE DATE: February 24, 2014	**ACTION DATE:**
AMENDS/SUPERSEDES: 2-10 March 18, 2009	**AMEND DATE: March 5, 2025**
ACCREDITATION INDEX: 1.2.9 a, b, c, d	**APPROVED:** Richard A. Pearson **Chief of Police**

I. POLICY

It is the policy of the Joplin Police Department to respond to calls for service, to investigate suspicious persons, incidents and other activities, and to enforce the laws of the State of Missouri and the Ordinances of the City of Joplin, in order to ensure the safety and well-being of residents, visitors and persons traveling though our community. It is the intent of the Department to respect and protect the constitutional rights of all individuals encountered by Department personnel during all law enforcement contacts and/or enforcement actions. It is the policy of the Joplin Police Department that all police-initiated enforcement actions, which includes all investigative detentions, traffic stops, arrests, searches and seizures of persons and/or property by officers, will be based on a standard of reasonable suspicion or probable cause as required by the Fourth Amendment of the U.S. Constitution and statutory authority. Officers must be able to articulate specific facts, circumstances and conclusions, which support probable cause or reasonable suspicion for the arrest, investigative detention or traffic stop. Officers shall not consider race, ethnicity, national origin, religion, age, gender identity or sexual orientation in establishing either reasonable suspicion, probable cause, or as a basis for requesting consent to search. (1.2.9 A)

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, etc about specific suspects.

II. PURPOSE

The purpose of this policy is to reaffirm the Joplin 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.

The policy will also help officers keep in mind the "probable cause" and reasonable suspicion" criteria for their stops and searches. Traffic enforcement and pedestrian contacts are routinely performed by officers but for the motorist or pedestrian who are stopped it is frequently an emotionally upsetting experience. Officers should be aware of these conditions and should strive to make each contact educational and leave the motorist with an understanding that the officer has performed a necessary task in a fair, professional and friendly manner.

To establish guidelines for Joplin Police Department personnel on performing professional traffic stops within Department policy and in compliance with the laws of the United States and the State of Missouri, specifically Missouri Revised Statutes section 590.650, which becomes effective August 28, 2000.

III DEFINITIONS

A. Biased Policing

The practice of singling out or treating differently any person on the basis of race, ethnicity, national origin, religion, age, gender identity, or sexual orientation.

B. Minority Group

Individuals of African, Hispanic, American Indian, or Asian descent (*Revised Statutes of Missouri* §590.650).

IV. PROCEDURES

The procedure is designed to collect data on police initiated vehicle and pedestrian stops resulting in detentions which are based upon "probable cause" or "reasonable suspicion". It is not intended for use in consensual or casual contacts.

A. Calling in Traffic Stops

Whenever an officer stops a vehicle for any purpose, the officer will give Communications information concerning the stop. The information will be given in the following order:

1. The vehicle's tag number;

2. The location of the traffic stop;

3. The description of the vehicle being stopped.

B. Recording and Reporting Traffic Stop Data – Officer Responsibilities

1. All Police Officers of the Joplin Police Department who initiate a traffic stop will record, specific data relating to the traffic stop, the driver of the vehicle stopped, and the enforcement and investigative actions taken. Officers are not required to record contacts with individuals who are not driving a motor vehicle, including the passengers riding in vehicles they stop. Officers are also not required to record contacts with drivers who are initially encountered as a result of a traffic crash, even if a citation is issued, nor to record contacts made during roadside safety checks.

2. At the conclusion of each traffic stop, the officer will assign a disposition to the stop in the computer.

3. Officers shall complete the required Bias Profiling Report in RMS.

4. All officers who initiate a traffic stop will complete a Bias profiling Report, as directed, with data collected on every traffic stop performed on that tour of duty, prior to securing from duty.

5. All traffic stop data shall be compiled by the Professional Standards Bureau for collection, recording and subsequent analysis and reporting of the data.

C. Collection and Reporting of Department Traffic Stop Data (1.2.9 D)

1. The Professional Standards Bureau Captain shall ensure that all traffic stop data submitted will be recorded, compiled and retained in such a manner as to enable the Joplin Police Department to submit the specific data for any calendar year, as required under RSMo 590.650, to the Attorney General of the State of Missouri no later than March 1 of the following year, in the format required by the Attorney General.

2. The Professional Standards Bureau Captain will compile the data to be submitted and shall ensure the transmission of the appropriate required reports to the Attorney General.

3. The Office of Internal Affairs shall provide the Chief of Police with a report including a statistical summary of complaints related to bias-based profiling or other discriminatory practices.

D. Review of the Attorney General's Annual Report (1.2.9 D)

The Chief of Police will conduct a documented administrative review based on the Attorney Generals Annual Report and reports submitted by the Office of Internal Affairs, as well as citizen concerns made available through other means (Citizen Advisory Committee, etc.) to:

1. Determine if any peace officer of the Joplin Police Department have a pattern of stopping members of minority groups, as defined in RSMO 590.650, for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the Joplin Police Department.

2. If the review reveals a pattern, require an investigation to determine whether any peace officer of the Joplin Police Department routinely stop members of minority groups as a pretext for investigating other violations of criminal law.

3. Ensure the provision of appropriate counseling and training of any Joplin peace officer found to have engaged in racial/bias-based traffic stops, within 90 days of the completion of the review. (1.2.9 B, C)

4. Ensure the provision of annual sensitivity training, for any employees who may conduct stops of motor vehicles, disregarding the prohibition against racial/bias-based profiling. (1.2.9 B, C)

5. The Training Division shall be responsible for ensuring agency personnel receive initial and annual training in racial/bias-based profiling and related issues including legal aspects consistent with POST requirements. (1.2.9 B)

V. COMPLIANCE

Violations of this policy, or portions thereof, may result in disciplinary action as described in the City of Joplin's Personnel Rules or the Joplin Police Department's Rules and Regulations and General Orders. Members of the Joplin Police Department, while assigned to or assisting other agencies shall comply with this policy.

VI. APPLICATION

This document constitutes department policy, is for internal use only, and does not enlarge an employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense, with respect to third party claims insofar as the employee's legal duty as imposed by law. Violations of this policy, if proven, can only form a basis of a complaint by this department, and then only in a non-judicial administrative setting.