

BANGOR POLICE DEPARTMENT
POLICY
Rules and Regulations

UNBIASED POLICING

This policy is effective December 31, 2021 and amends or supersedes all previous policies on this topic.

I. PURPOSE

The purpose of this policy is to outline the expectation of unbiased and equitable treatment of all persons.

II. POLICY

Persons having contact with members of the Bangor Police Department shall be treated in a fair, impartial, equitable, and objective manner, in accordance with law, and without consideration of their individual demographics such as race, ethnicity, gender, sexual orientation, gender identity, religion, socioeconomic status, age, national origin, or ancestry.

III. DEFINITIONS

Biased Policing: Discrimination in the performance of law enforcement duties or delivery of police services, based on personal prejudices or partiality of officers toward classes of individuals or persons based on individual demographics.

Fair and Impartial Treatment: The belief that persons, irrespective of race or other distinctions, shall be treated in the same basic manner under the same or similar circumstances. This does not mean that all persons in the same or similar circumstances can or must be treated identically. Reasonable concessions and accommodations may be, and sometimes should be made, when dealing with individuals with physical or mental disabilities, injury, illness, or similar conditions, or when information about them necessitates different treatment.

Individual Demographics: For the purposes of this policy, personal characteristics, to include, but not limited to race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, cultural group, or political status.

Police Services: Sometimes referred to as community caretaking functions, these are actions and activities that may not directly include enforcement of the law but that contribute to the overall well-being and safety of the public. These include, but are not limited to, such tasks as assistance at traffic accidents; incidents of tragedy; crisis and medical emergencies; lifesaving services; crime prevention; preventive patrol; traffic control; public information; education; and similar activities.

IV. PROCEDURES

- A. Fair and Impartial Treatment
1. Biased policing is prohibited both in enforcement of the law and the delivery of police services.
 2. Officers shall take equivalent enforcement actions and provide equal services to all persons in the same or similar circumstances.
 3. Officers shall not consider individual demographics, such as consider race, ethnicity, gender, sexual orientation, gender identity, religion, socioeconomic status, age, national origin, or ancestry when performing law enforcement duties or delivering police services except when such characteristics are part of a specific subject description.
 4. To prevent inappropriate perceptions of biased law enforcement, Bangor police officers shall utilize the following strategies when conducting pedestrian and/or motor vehicle stops:
 - a. Introduce himself or herself, providing name and agency name, and explain to the citizen the reason for the stop as soon as practical, unless providing this information will compromise the safety of officers or other persons. However, due to the nature and purpose of the operations, undercover police officers acting as decoys are exempt from identifying themselves until the point that arrest, detention, or enforcement actions undertaken. In vehicle stops, consider provide this information before asking the driver for his or her license and registration.
 - b. Ensure that the length of the detention is no longer than necessary to take appropriate action for the known or suspected offense.
 - c. Answer any questions the individual may have, including explaining options for the disposition of the traffic citation, if relevant.
 - d. Provide his or her name and radio call number (officer identification number) when requested to do so.
 - e. Officers shall provide an explanation if it is determined that the reasonable suspicions were unfounded. (e.g., after a “Be on the Lookout” (BOLO) stop).
 - f. The deliberate recording of any misleading information related to the actual or perceived race, ethnicity, gender, sexual orientation, gender identity, religion, socioeconomic status, age, national origin, or ancestry stopped for investigative or enforcement purposes is prohibited.

5. Unless exigent circumstances exist, officers shall not engage in a law enforcement matter when it involves a family member, friend, relative, financial partner or other person with whom he or she has a personal relationship, such that the officer's objectivity may be, or may appear to be, compromised. In situations where the officer is personally involved, he/she will contact a supervisor. The supervisor will evaluate the situation and consider call reassignment.

B. Expectations and Compliance

1. Officers who witness or who are aware of instances of biased policing shall report the incident to a supervisor. Also, where appropriate, officers are encouraged to intervene at the time the biased policing incident occurs.
2. Depending on the nature and seriousness of the incident, supervisors may provide the involved officer(s) with intervention such as training and counseling (as permitted in policy 1-11).
3. Supervisors shall ensure that officers follow the policies and procedures outlined in this policy and monitor the activities of department personnel regarding the concerns of the policy. Supervisors will be particularly alert to potential patterns and practices of their personnel that may indicate bias based policing and confront/report potential bias-based policing activity.
4. Any person who believes they have been stopped, detained or searched solely based on individual demographics may file a complaint. Any officer receiving such complaint shall immediately forward all information to his/her supervisor. The supervisor will notify the Deputy Chief of Police.
5. All external complaints, and any internal complaint that cannot be resolved effectively and appropriately by supervisory personnel - or that are determined to be repetitive or potentially significant or serious in nature - shall be immediately forwarded to the Deputy Chief of Police.
6. The Chief of Police or Deputy Chief of Police shall notify the Office of the Attorney General of any complaint of bias-based profiling made against any member of the department and the results of said investigation of the complaint.
7. The Chief of Police and Deputy Chief of Police will review this policy and conduct a review of all citizen or internal bias-based policing complaints on an annual basis.

C. Retaliation

1. No person will be discouraged, intimidated, or coerced from filing a complaint, or discriminated against because they filed such complaint.
2. No member of the police department, regardless of rank or position, shall retaliate against any fellow employee, official, civilian or volunteer for reporting biased based policing incidents or for participating in or cooperating with the investigation of such incidents.

D. Training

1. All employees will receive basic and biennial bias-based policing training as provided or organized by the department training unit and, when deemed necessary, remedial training on subjects related to police ethics, cultural diversity and police-citizen interaction.

Approved: December 23, 2021

Effective: December 31, 2021

Mark J. Hathaway

Chief of Police