

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to office members that affirms the Ottawa County Sheriff's Office's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the office's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on actual or perceived 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 service or enforcement.

401.2 POLICY

The Ottawa County Sheriff's Office is 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 law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited in all enforcement actions, including traffic contacts, field contacts, and asset seizure and forfeiture efforts.

However, nothing in this policy is intended to prohibit a deputy 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 to specific unlawful incidents, specific criminal patterns, or specific schemes.

401.4 MEMBER RESPONSIBILITIES

Every member of this office shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

401.4.1 REASON FOR CONTACT

Deputies contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

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To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview card), the involved deputy should 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 deputy to document a contact that would not otherwise require reporting.

401.4.2 REPORTING TRAFFIC STOPS

Each time a deputy makes a self-initiated traffic stop, the deputy shall report the gender and race or ethnicity of the driver.

401.4.3 ATTORNEY GENERAL REPORTS

The Operations Captain should ensure that procedures are in place for the submission of bi-monthly reports relating to certain traffic citations (e.g., texting while driving, driving while distracted) to the Ohio Attorney General's Office consistent with the requirements of ORC § 4511.992.

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved deputy and his/her supervisor in a timely manner.
 - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review Mobile Video Recorder recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between deputies and the public to ensure compliance with this policy.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this office who discloses information concerning bias-based policing.

401.6 ADMINISTRATION

The Operations Captain should prepare a documented annual review of office practices, collected data, and citizen concerns and complaints and submit an annual report to the Sheriff. The annual report should not contain any identifying information about any specific complaint, citizen, or deputies. It should be reviewed by the Sheriff to identify any changes in training or operations that should be made to improve service.

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Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

401.6.1 PUBLISHING AN ANNUAL REPORT TO THE PUBLIC

The Sheriff or the authorized designee shall prepare an annual report for the public that documents the annual administrative review of agency practices, data collected and citizens' concerns.

401.7 TRAINING

The Training Division should provide annual training on this policy and fair and objective policing. The training should include bias-based policing issues and relevant legal aspects, such as: field contacts, traffic stops, search issues, asset seizure and forfeiture, interview techniques, cultural diversity, discrimination, and community support.