

GENERAL ORDER XII

SUBJECT: RACE-BASED TRAFFIC STOPS

EFFECTIVE DATE: 08-28-00

REVIEW DATE: 01-13-12

NOTE: This rule or regulation is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

I. PURPOSE

To establish guidelines for a race-based traffic stop.

POLICY

- II. Officers of the West Plains Police Department shall not routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law.
- III. Periodic reviews by this department will be conducted to determine whether any officers of this department have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the populations of minority groups residing or traveling within the jurisdiction of the West Plains Police Department.
- IV. If the review reveals a pattern, an investigation to determine if officers of this department routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal laws.
- V. Appropriate counseling and training will be provided to any officer found to have engaged in race-based traffic stops within ninety (90) days of the review.
- VI. Annual sensitivity training will be provided for any officer who may conduct stops of motor vehicles regarding the prohibition against racial profiling.
- VII. The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

AUTHORITY

- A. This policy is issued by the authority of the Chief of Police. Any policy additions, deviations or revisions shall be made only at the direction of the Chief of Police.

By Authority of:

Charles Brotherton, Jr., Chief of Police