

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Wichita State University Police Department's commitment to policing that is fair and objective (K.S.A. § 22-4606 through K.S.A. § 22-4611).

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department'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 (K.S.A. § 22-4609):

Enforcement action - Any law enforcement act during a nonconsensual contact with an individual in:

- (a) Determining the existence of probable cause to take into custody or to arrest an individual.
- (b) Constituting a reasonable and articulable suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigatory stop of a vehicle.
- (c) Determining the existence of probable cause to conduct a search of an individual or a conveyance.

Racial or 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 Wichita State University Police Department 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 department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

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- (b) In the course of any law enforcement action unless an officer is seeking to detain, apprehend, or otherwise be on the lookout for a suspect sought in connection with a crime who has been identified or described in part by race, ethnicity, national origin, gender, or religion.
- (c) In the course of any reasonable action in connection with a status offense, such as runaways, child in need of care, missing persons, and other non-criminal caretaker functions unless the person is identified or described in part by race, ethnicity, national origin, gender, or religion.
- (d) As a motivating factor in making law enforcement decisions or actions unless the person is identified or described in part by race, ethnicity, national origin, gender, or religion.
- (e) As the basis for discretionary law enforcement (e.g., citation, arrest, warning, search, release, or treating a person with respect and dignity).
- (f) As the basis for any decision related to asset seizure or forfeiture efforts.

401.4 MEMBER RESPONSIBILITIES

Every member of this department 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 bias-based actions by another member.

401.4.1 REASON FOR CONTACT

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401.8 TRAINING

Annual training on racial or bias-based policing and review of this policy should be conducted as directed by the Support Captain (K.S.A. § 22-4610(c)).

401.8.1 INITIAL TRAINING

Newly hired officers shall receive training in biased policing issues, including legal aspects.