



North Eastern Massachusetts Law Enforcement Council (NEMLEC)

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Accreditation Standards:	1.2.9

General Considerations and Guidelines

North Eastern Massachusetts Law Enforcement Council (NEMLEC) is committed to protecting the constitutional and civil rights of all citizens. Maintenance of public trust and confidence in the police is critical to effective policing and is achieved largely through fair and equitable treatment of the public. This is a basic requirement of law enforcement and the right of all persons in our society. All persons having contact with members of this organization shall be treated in a nonpartisan, fair, equitable, and objective manner, in accordance with law, and without consideration of their race, ethnicity, national origin, age, gender, sexual orientation or religion.

PURPOSE:

The purpose of this policy is to emphasize this organization's commitment to unbiased, equitable treatment of all persons in enforcing the law and providing police services.

It is the policy of NEMLEC to:

- provide all people within our communities fair and impartial police services consistent with constitutional and statutory mandates;
- assure the highest standard of integrity and ethics among all our members;
- respect the diversity and cultural differences of all people;
- continue our commitment to community policing and problem solving, including vigorous, lawful, and nondiscriminatory traffic enforcement that promotes public safety and strengthens public trust, confidence, and awareness.

DEFINITIONS:

Racial and Gender Profiling: Chapter 228 of the Acts of 2000 includes the following definitions: the practice of detaining or stopping a suspect based on a broad set of criteria which cast suspicion on an entire class of people without any individualized suspicion of the particular person being stopped.

Suspect Specific Incident: An incident in which an officer is lawfully attempting to detain, apprehend, or otherwise be on the lookout for one or more specific suspects who have been identified or described in part by national or ethnic origin, gender, or race.

Detention: The act of stopping or restraining an individual's freedom to walk away, approaching and questioning an individual outside the realm of a consensual encounter, or stopping an individual suspected of being personally involved in criminal activity.

PROCEDURE:

It is the policy of the North Eastern Massachusetts Law Enforcement Council that, except in "suspect specific incidents", police officers are prohibited from considering the race, ethnicity, national origin, age, gender, sexual orientation or religion of members of the public in deciding upon the scope or substance of any law enforcement action.

I. Prevention of Profiling

To prevent profiling, this organization will:

1. Ensure that this policy is disseminated to all officers, dispatchers and communications employees;
2. Train supervisory personnel to monitor police conduct to ensure that the standards of this policy are being carried out by employees under their supervision
3. Review and, where appropriate, revise all procedures that involve the stop, detention, apprehension, or search of individuals to ensure that such procedures are in compliance with the provisions of the law and this policy.
4. Review all performance recognition and evaluation systems training curricula, policies and customs of the organization to determine if any practice encourages conduct that may support or lead to racial or gender profiling;
5. Utilize appropriate citizen complaint procedures to document and investigate allegations of profiling filed directly with the agency or referred through the Executive Office of Public Safety's statewide toll free complaint number; and
6. Utilize procedures for the proactive review of performance, complaint, and other employment information to assist supervisors in identifying and modifying potentially problematic behavior and to promote professionalism in this organization.

II. Enforcement of Profiling Policy

To enforce the provisions of this policy, this organization will:

Take appropriate action to address documented incidents of racial or gender profiling, as follows:

Review

All complaints of profiling will be reviewed promptly and impartially by the Control Chief of the respective unit involved or a designated official. The Control Chief, and others involved in conducting the review into a complaint of profiling will keep information as confidential as possible, and disseminate it on a "need to know" basis only. The Control Chief or other official conducting the review shall notify, as soon as possible after the review of the complaint, the Chief of police from the city/town which the party or parties involved are employed as well as the Executive Board who shall promptly review the matter and the recommendations of the Control Chief and take any and all actions necessary.

Action

Anyone who is found after investigation to have engaged in profiling prohibited by this policy will be subject to administrative action and/or progressive discipline. This policy shall not limit in any way the authority of a city or town to take disciplinary action against an employee who engages in unlawful or inappropriate conduct.