

BALTIMORE CITY PUBLIC SCHOOLS

GENERAL ORDER 13-14 SECTION F-6

BIAS BASED PROFILING Revisions Approved: September 27, 2022

This General Order contains the following numbered sections:

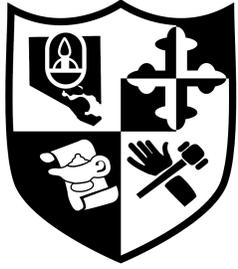
- I. Directive
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- III. Definitions
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I. DIRECTIVE

Allegations of bias-based profiling or discriminatory practices, real or perceived, are detrimental to the relationship between the Baltimore City School Police Force (“BCSPF” or “School Police”) and the communities that it protects and serves. Bias-based policing is an illegal and ineffective method of law enforcement. Bias-based policing results in increased safety risks to officers and citizens and the misuse of valuable resources. Bias-based policing is in opposition to gaining and holding public trust and community support of law enforcement. Both public trust and community support are essential to effective community-based policing and problem solving. BCSPF personnel must carry out their mission and oath of office at all times respecting the constitutional rights of all citizens.

II. PURPOSE

The purpose of this General Order is to state that members of the BCSPF are prohibited from using an individual’s actual or perceived personal characteristics – including race, ethnicity, color, ancestry, national origin, nationality, religion, sex, sexual orientation, gender, gender identity, gender expression, marital status, pregnancy or parenting status, family structure, ability (cognitive, social/emotional, and physical), veteran status, genetic information, age, immigration or citizenship status, socioeconomic status, language, or any other legally or constitutionally protected attributes or affiliations – as an improper justification to initiate any law enforcement action or activity.



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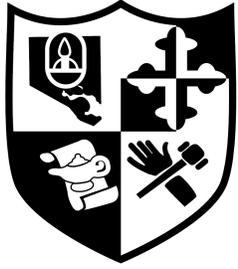
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III. DEFINITIONS

- A. **Bias-based policing:** The differential treatment of individuals in the context of rendering police service based on actual or perceived personal characteristics. *Bias-based policing* includes any police-initiated action that relies on any actual or perceived characteristic other than the behavior, conduct, unlawful act or omission of that individual or information that leads the police to a particular individual.
- B. **Constitutional policing:** Police officials are responsible for performing their various roles and responsibilities in a way that protects everyone’s constitutional rights. At its most basic level, constitutional policing can be described as “legal policing.” This means that policing must be conducted in accordance with the parameters set by the United States constitution, state constitutions, and the court decisions that have defined in greater detail what the text of the constitution means in terms of the everyday practices of policing.
- C. **Personal characteristics:** Race, ethnicity, color, ancestry, national origin, nationality, religion, sex, sexual orientation, gender, gender identity, gender expression, marital status, pregnancy or parenting status, family structure, ability (cognitive, social/emotional, and physical), veteran status, genetic information, age, immigration or citizenship status, socioeconomic status, language, or any other legally or constitutionally protected attributes or affiliations. Consistent with Board Policies ACA and JBA, personal characteristics covered by this General Order are meant to be interpreted expansively and inclusively. BCSPF further understands that terminology is evolving, and thus, this General Order’s definition of personal characteristics may or may not include the terms that individuals use to define themselves. BCSPF strongly supports the rights of individuals to define their own identities.

IV. PROCEDURE

- A. All investigative detentions, traffic stops, arrests, searches, and seizures of property by BCSPF officers will be based on a standard of reasonable suspicion or probable cause as required by the Fourth Amendment of the U.S. Constitution and statutory authority.
- B. Officers must be able to articulate specific facts, circumstances, and conclusions which support probable cause or reasonable suspicion for an arrest, traffic stop, or investigative detention.



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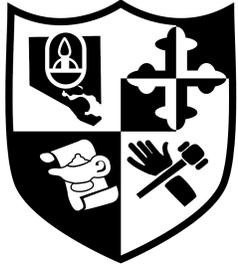
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- C. Except as provided below, officers shall not consider an individual's actual or perceived personal characteristics in establishing either reasonable suspicion or probable cause.
- D. Officers may take into account the discernible personal characteristics of an individual for investigative purposes and in establishing reasonable suspicion or probable cause only when the characteristic is part of a specific suspect description when credible intelligence relevant to the locality and time frame links a specific person or people to a specific unlawful incident, or to specific unlawful incidents, criminal patterns, or schemes. Officers must articulate specific facts and circumstances that support their use of such characteristics in establishing reasonable suspicion or probable cause. Officers may consider demographic factors and personal characteristics in developing activities designed to strengthen the BCSPF's relationship with its diverse communities. Officers are expected to consider relevant personal characteristics of an individual when determining whether to provide services designed for individuals with those characteristics (e.g., students with disabilities, behavioral crisis, homelessness, addiction, etc.).
 - 1. Except as provided above, no person shall be singled out or otherwise treated differently on account of their actual or perceived personal characteristics.
 - 2. Prevention of Biased Policing

In an effort to prevent inappropriate perceptions of biased law enforcement, officers shall utilize the following strategies when conducting pedestrian and vehicle stops, in addition to those set forth in General Order 13-12 (Traffic Control):

- a. Be reasonably courteous, polite, and professional.
- b. Display proper identification to the stopped individual at the commencement of the traffic stop or other stop, absent exigent circumstances, and provide the following information to the stopped individual:
 - i. The officer's name;
 - ii. The officer's BCSPF identification number;
 - iii. The name of the law enforcement agency that the officer is representing (i.e., BCSPF); and
 - iv. The reason for the stop.
- c. Ensure that the length of the detention is no longer than necessary to take appropriate action for the known or suspected offense.



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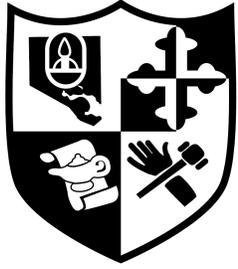
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- d. Answer any questions the citizen may have, including explaining options for the disposition of a traffic citation or other law enforcement action, if relevant.
 - e. Provide their name and badge number when requested, in writing or on a business card.
 - f. Explain if they determine that the reasonable suspicions were unfounded (e.g., after a “be on the lookout” (“BOLO”) stop.
 - g. Complete a “Citizen/Police Contact Receipt”
- B. BCSPF personnel shall not express – either verbally, in writing, or by other gesture – any prejudice or derogatory comments concerning discernible personal characteristics.
- C. No BCSPF employee shall retaliate against any person who initiates or provides information or testimony related to an investigation, prosecution, litigation, or hearings related to BCSPF or BCSPF employees, regardless of the context in which the allegation is made, or because of such person’s participation in the complaint process as a victim, witness, investigator, decision-maker, or reviewer.
- D. It is the duty of employees who have observed or are aware of others who have engaged in bias-based policing to specifically report such incidents to a supervisor, providing all information known to them, before the end of the shift during which they make the observation or become aware of the incident.
- E. Supervisors have an individual obligation to ensure the timely and complete review and documentation of allegations of violation of this General Order that are referred to them or of which they should reasonably be aware.

V. TRAINING

Members will receive initial and periodic training in subjects that promote and encourage impartial and community-based policing. Applicable training subjects may include, but are not limited to officer safety, courtesy, cultural diversity, non-discriminatory police practices, search and seizure, asset seizure and forfeiture, interview techniques, interpersonal communication skills, implicit bias, and constitutional and case law.



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VI. COMPLAINT PROCESS

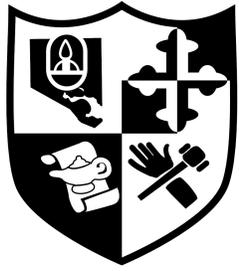
Supervisors who receive a citizen complaint or allegation of bias-based policing on the part of any member of the department, shall forward such information in writing in accordance with the department's General Orders regarding citizen complaints and Internal Affairs investigations.

VII. INTERNAL AFFAIRS RESPONSIBILITIES

- A. It is the responsibility of the Internal Affairs Unit to thoroughly and timely investigate allegations of bias-based policing and violations of the Constitution.
- B. The Internal Affairs Unit may include related complaint information in the department's yearly Internal Affairs statistical summaries.
- C. Complaints that department officers conducted policing activities based on any improper criteria should be investigated.
- D. Violations of this General Order, or portions thereof, shall result in remedial training and/or disciplinary action as set forth in the department's General Order.
 - a. BPD personnel who engage in, ignore, or condone bias-based policing will be subject to discipline.
 - b. Supervisors and commanders who fail to respond to, document, and review allegations of bias-based policing will be subject to discipline.
- E. Supervisors shall ensure all personnel of their command are familiar with the content of this General Order and are operating in compliance.

VIII. ANNUAL REVIEW

The Chief of School Police will ensure yearly administrative reviews are conducted to examine the agency's commitment to impartial and constitutional policing. Components that are to be included in these reviews include, but are not limited to, related agency directives, practices, and citizen complaints.



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IX. EFFECTIVE DATE

This Order shall be effective on the date of publication.

I certify that I have read and fully understand this Order.

Signature _____

Date _____