

HONOLULU POLICE DEPARTMENT

POLICY LAW ENFORCEMENT ROLE, RESPONSIBILITIES, AND RELATIONSHIPS

March 27, 2019

Policy Number 1.12

BIAS BASED PROFILING

POLICY

The constitutions of the United States and the state protect individuals from infringement of their rights, except pursuant to due process of law. The Honolulu Police Department is committed to observing, upholding, and enforcing all laws related to individual rights. It does not train, teach, endorse, support, or condone law enforcement practices based solely on race, ethnicity, color, gender, age, religion, national origin, ancestry, sexual orientation, marital status, mental or physical disability, or source of income.

PROCEDURE

I. DEFINITION

Bias based profiling: The practice of engaging in traffic contacts, field contacts, asset seizures, and forfeiture efforts or any other type of law enforcement contact with the public based solely on a trait common to a group. This includes, but is not limited to, an individual's race, color, national origin, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable groups.

II. PROCEDURE

A. Departmental employees should respect and protect each person's civil rights and comply with all laws relating to human rights.

- B. Officers are prohibited from engaging in bias based profiling in traffic contacts, field contacts, asset seizures, and forfeiture efforts or any other law enforcement contact with the public based solely on a trait common to a group.
- C. Violation of this policy by any employee may result in disciplinary action up to and including termination.

III. SUPERVISORY RESPONSIBILITIES

- A. Each supervisor is responsible for taking reasonable measures to prevent bias based profiling and stop any other prohibited discriminatory actions. A supervisor who is aware of bias based profiling in another element will notify the respective commander (division level or higher) of the officer.
- B. Failure by a supervisor to control bias based profiling or any other prohibited discriminatory actions may be cause for disciplinary action against the supervisor. Supervisors may be held to a higher standard of accountability as management representatives.

IV. TRAINING

- A. The commander of the Training Division will ensure that the content of this directive is fully incorporated into the basic recruit training curriculum, annual training curriculum, as well as all in-service training regarding courtesy and demeanor, legal aspects (e.g., determining reasonable suspicion, establishing probable cause for arrest, the rights of the accused, search and seizure, etc.), and other related courses.
- B. Patrol watch commanders will ensure that all roll call training is consistent with this directive.

11-30-2020

V. DISCIPLINARY AND OTHER ACTIONS

- A. If the complaint is sustained, the offender shall be notified, in writing, of the results of the investigation and any disciplinary action and warned that bias based profiling is a violation of federal and state laws and city and departmental policy.
1. Due process procedures shall be adhered to when any discipline is imposed. The victim shall be notified that appropriate action has been taken and that all parties have been informed that there will be no retaliation.
 2. All disciplinary actions shall be carried out in accordance with civil service rules or applicable collective bargaining agreements.
- B. If the complaint is not sustained or is unsupported by the evidence, the complaint shall be dismissed. Both parties shall be notified in writing of the dismissal.

VI. ADMINISTRATIVE REVIEW

The Professional Standards Office shall conduct an annual administrative review of the department's policy and practices pertaining to bias based profiling, including citizen concerns.



SUSAN BALLARD
Chief of Police

Post on bulletin
board for one week

Policy first issued
March 5, 2002