

AURORA POLICE DEPARTMENT

DIRECTIVES MANUAL

08.32 BIAS-BASED POLICING

Approved By:	Art Acevedo, Interim Chief of Police
Effective:	Mar-15-2023
Revised:	Mar-15-2023
Associated Policy:	DM 08.52
References:	N/A
Review Authority:	Professional Standards and Training Division Chief

8.32.01 PURPOSE

The purpose of this policy is to ensure that all sworn members of the Aurora Police Department (APD) conduct all encounters and law enforcement actions impartially and in accordance with the rights secured and protected by the United States Constitution, federal and state law, case law, and APD policy. Conducting law enforcement activities in an unbiased manner fosters and strengthens relationships between sworn members and the public and inspires confidence in and support for policing efforts. This policy also provides guidance to APD supervisors on the proper investigation of any complaints of biased-based policing.

This policy should be read in conjunction with [DM 08.52 - Constitutional Policing](#), which specifically defines and delineates APD policy relative to contacts, detentions, arrests, searches, seizures, and the provision of business cards to members of the public.

8.32.02 SCOPE

This directive applies to all members of APD.

8.32.03 DEFINITIONS

Biased-Based Policing: Any police-initiated law enforcement action that is based in whole or in part on race, ethnicity, gender, national origin, language preference, religion, sexual orientation, gender identity, age, or disability, except to the extent that such action is based on an articulable suspect-specific description of an individual and is combined with other non-demographic factors such as behavior, statements, circumstances, etc.

8.32.04 POLICY

Sworn members of APD must only contact persons in a manner that is consistent with [DM 08.52 - Constitutional Policing](#). To the extent that a sworn member's decision to contact an individual is based in whole or in part on a person's actual or perceived race, ethnicity, gender, national origin, language preference, religion, sexual orientation, gender identity, age or disability, that contact violates this policy unless that contact is based on a reliable suspect-specific description of the individual that includes other non-demographic identifying characteristics.

The Aurora Police Department neither condones nor tolerates the use of biased-based policing. Biased-based policing undermines legitimate law enforcement efforts, alienates a significant percentage of the population, and fosters distrust of law enforcement by the public. Sworn members should recognize the value of creating opportunities to improve the perceived legitimacy

of the agency by the public. Contacts with persons must reflect respect and impartiality and promote trust between the APD and the public.

8.32.05 CORE PRINCIPLES

The following principles are expectations of APD members when in contact with a member of the public:

Relational-Based Policing: Every interaction with a member of the public is an opportunity to build respect, legitimacy, and trust with the public. These interactions increase cooperation, strengthen connections between APD and the public, and advance public safety. We share a responsibility with the public to develop strategies to decrease crime and improve the quality of life for our community and visitors.

Constitutional Policing: Every encounter shall be conducted lawfully under the First, Fourth, and Fourteenth Amendments to the United States Constitution and in accordance with state law and this policy.

Procedural Justice: Members will treat people with fairness, dignity, and respect and, whenever possible, take time to explain the actions of a member and answer questions.

Open Dialogue | Voice: Members of the public should be given a voice during encounters when it is safe to do so, regardless of the nature of the contact.

Anti-Bias Policing: Members will not initiate or continue any contact based on a person's race, ethnicity, national origin, religion, gender, sexual orientation, age, disability, or gender identity, except when such an attribute is part of a suspect-specific description identified by the member. The suspect-specific description must be combined with other non-demographic identifying factors in such cases.

Accountability: Contacts, detentions, searches, or arrests that do not conform to policy or law shall result in an administrative investigation. Members are expected to hold themselves and other members accountable to the Vision, Mission, and Core Values of the Aurora Police Department.

8.32.06 BIASED POLICING COMPLAINTS

Complaints alleging biased-based policing will be accepted in accordance with policies regarding the acceptance of all internal and external complaints in [DM 10.02 - Complaint and Discipline Procedures for Sworn Members](#). All biased-based policing complaints will immediately be forwarded to the APD Internal Affairs Bureau (IAB) for tracking in the administrative management system.

After the initial inquiry and preliminary investigation have been completed by that member's supervisor, IAB will determine whether the complaint should be investigated by IAB or by the command of the member whose conduct is the subject of the complaint.

8.31.07 TRAINING

All members, including supervisors and executive staff, will be given initial training and annual training thereafter on biased-based policing issues, including, but not limited to, different types of bias, understanding and combatting implicit biases, the prohibition of using a person's race,

ethnicity, national origin, religion, gender, sexual orientation, age, disability, or gender identity, unless such an attribute is part of a suspect-specific description. Additionally, all sergeants and IAB investigators must receive training on how to properly conduct biased-based policing investigations.