

DENVER POLICE DEPARTMENT
BIASED POLICING / CITIZEN CONTACT DATA COLLECTION
OPERATIONS MANUAL SECTION REVISION

Addition of New Section

116.32 – Biased Policing / Citizen Contact Data Collection

(1) Purpose

- a. The purpose of this policy is to reaffirm the Denver Police Department's commitment to unbiased policing and to reinforce procedures that serve to maintain public confidence by providing service and enforcing laws in a fair and equitable manner.
- b. The policy will also help officers keep in mind the "probable cause" and "reasonable suspicion" criteria for their stops and searches. Traffic enforcement and pedestrian contacts are routinely performed by officers but for the motorist or pedestrian who are stopped it is frequently an emotionally upsetting experience. Officers should be aware of these conditions and should strive to make each contact educational and leave the motorist with an understanding that the officer has performed a necessary task in a fair, professional and friendly manner.

(2) Biased Policing Definition:

- a. Biased Policing means the practice of singling out or treating differently any person on the basis of race, ethnicity, national origin, religion, age, gender, gender identity, or sexual orientation.

(3) Policy:

- a. It is the policy of the Denver Police Department that all police-initiated actions, which includes all investigative detentions, traffic stops, arrests, searches and seizures of persons and/or property by 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. Officers must be able to articulate specific facts, circumstances and conclusions, which support probable cause or reasonable suspicion for the arrest, investigative detention or traffic stop. Officers shall not consider race, ethnicity, national origin, religion, age, gender, gender identity or sexual orientation in establishing either reasonable suspicion, probable cause, or as a basis for requesting consent to search.
- b. Officers may take into account the reported race, ethnicity or national origin of a specific suspect or suspects in the same way they would use specific information regarding age, height, weight, etc. about specific suspects.

(4) Procedures:

- a. The procedure is designed to collect data on police initiated vehicle and pedestrian stops resulting in detentions which are based upon "probable cause" or "reasonable suspicion". It is not intended for use in consensual or casual contacts.
- b. The Citizen Contact Datasheet (DPD Form 826) is a Scantron form that is completed on each person detained or arrested as described in section (4) (d) below. The purpose of the form is to record the reasons for the stop and the demographics of the parties stopped. The form must be completed as soon as possible after/during the contact, but shall be completed no later than the end of the officer's shift.
- c. One citizen datasheet will be filled out for each person detained.
- d. **Class 2 actions** (Officer-Initiated) The officer is required to complete a Citizen Contact Datasheet on all officer initiated citizen contacts that result in a stop, search, detention or arrest. This procedure applies to all contacts where an officer decides to detain and/or search an individual on-duty, off-duty and during secondary employment. For off-duty or secondary employment, this procedure applies to those contacts initiated by the officer that may or may not result in a police action. It does **not** apply to those contacts that result from a third party request.
- e. **Class 1 actions** (Radio/Citizen directed calls, i.e. 9-1-1 calls) will generally not require a Citizen Contact Datasheet. For example, if an officer is on a call where dispatch directs them to contact an individual who matches a specific description, or if a complainant points out a suspect prior to the contact, no datasheet is required. The datasheet is required only when the officer exercises discretion about who to stop. If the officer independently decides to contact a person based upon a general description given previously by dispatch or a complainant, a

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Citizen Contact Datasheet shall be completed. If an officer stops a possible suspect and it is later determined that this person is not involved, a datasheet shall be completed. When in doubt fill out a Citizen Contact Datasheet.

- f. During a stop, misunderstandings may stem from the officer's failure to explain why the contact was made. During most vehicle or pedestrian stops officers can inform the detainee of the reason for the stop. If, for articulable officer-safety or investigatory considerations, the reason for the stop cannot be immediately disclosed, the officer will inform the party of the reason for the stop before the contact is terminated.
- g. The officer responsible for the decision to stop/search a party is responsible to ensure the proper completion of the Citizen Contact Datasheet. Only one Citizen Contact Datasheet is required for each person contacted. Do not duplicate datasheets.
- h. When making a pedestrian or traffic stop where several people are present, a Citizen Contact Datasheet need be completed only for those who are contacted, questioned or searched. For example, during a traffic stop if only the driver is contacted then only one Citizen Contact Datasheet is required to document the contact. If any other passenger or pedestrian is contacted and is not free to leave, then a separate Citizen Contact Datasheet must be completed for each person contacted.
- i. All datasheets shall be turned in with the officer's log sheet at the end of the shift. If datasheets are completed while off-duty or while working secondary employment, they must be submitted to an on-duty supervisor for approval no later than the conclusion of the off-duty assignment. In assignments where log sheets are not required Citizen Contact Datasheets will be turned in to the officer's supervisor.
- j. All Citizen Contact Datasheets will be completed in black ink.
- k. Officers will indicate the total number of Citizen Contact Datasheets completed during their shift by drawing a slash through the tally box for contact cards on the log sheet. On the left of this slash they will tally contact cards. On the right of this slash they will tally Citizen Contact Datasheets.
- l. The Scantron system used to tabulate datasheets can be hampered if the document is bent, folded, torn, wet, or otherwise damaged. Officers shall assure that the forms are kept in good readable condition. Officers shall not use "White out" to correct these forms.
- m. Supervisors will cross check the number of Citizen Contact Datasheets with the tally on the officer's logsheet. Supervisors will also cross check the listed Class 2 activity to assure the proper number of datasheets are completed. Supervisors will assure that all information has been supplied and that forms are in good condition. If a form is found to be in questionable condition the supervisor shall have the officer complete a new form and assure that the information is accurately transcribed.
- n. Approved Datasheets will be sent via interoffice mail to the Research and Development Bureau for processing. Completed forms will be archived for 3 years by the Research and Development Bureau.

(5) Business Cards

- a. Officers shall provide, without being asked, a business card to any person whom the officer has detained in a **Traffic Stop**, if that person is not issued a traffic summons, written courtesy traffic warning or arrested. There is no such mandate on pedestrian stops other than those stated in RR-129 *Giving Name and Badge Number*. By statute the business card shall contain the officer's name, badge number, assignment and the following information:

Positive Comments or Complaints – (720) 913-6665

- b. The Department will provide generic blank business cards on which officers shall legibly write their names, badge numbers and assignments. Cards printed at personal expense must contain the above information.

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Addition to Existing Section

109.02 (2) – Form Number Inventory, Description and Usage

#826 – Citizen Contact Datasheet

This form is used to collect information on police contacts based on a reasonable suspicion or probable cause.
(Refer to OMS 116.32)

Modification to Existing Rule and Regulation

RR-129 Giving Name and Badge Number

Upon request from any person, officers shall provide their names, badge numbers and unit assignments, either in writing or by presenting a business card, unless such action is likely to jeopardize the successful completion of a police assignment. Business cards are required to be provided, without being asked, to any person an officer has detained in a traffic stop if that person is not cited or arrested. Refer to OMS 116.32 (5) for more information.

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