

BIAS-BASED POLICING COMPLAINT PROCEDURES



Andrews Police Department
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About Bias-Based Policing

Definitions

Biased Policing: A law enforcement initiated action based solely on an individual's race, ethnicity, national origin, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. The term is not relevant as it pertains to witnesses, complainants, persons needing assistance, or other citizen contacts.

The prohibition against biased policing does not preclude the use of race, ethnicity, national origin, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group as factors in a detention decision by a police officer. These may be legitimate factors in such a decision when used as part of a description of a suspect or witness for whom a police officer is searching.

Reasonable suspicion: Also known as articulable suspicion. Suspicion that is more than a mere hunch, but is based on a set of articulable facts and circumstances that would warrant a person of reasonable caution in believing that an infraction of the law has been committed, is about to be committed, or is in the process of being committed, by the person or persons under suspicion. This can be based on the observations of a police officer combined with his or her training and experience, and/or reliable information received from credible outside sources.

Criminal Profiling: An investigative method in which an officer, through observation of activities and environment, identifies suspicious people and develops a legal basis to stop them for questioning.

Andrews Police Department's Bias-Based Policing Policy

Purpose

The purpose of this policy is to unequivocally state that bias-based policing in law enforcement is totally unacceptable, to provide guidelines for officers to prevent such occurrences, and to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion, and to protect our officers from unwarranted accusations when they act within the dictates of the law and Department policy.

A fundamental right guaranteed by the Constitution of the United States to all who live in this nation is to equal protection under the law. Along with this right to equal protection is the fundamental right to be free from unreasonable searches and seizures by government agents. Citizens are free to walk and drive our streets, highways, and other public places without police interference so long as they obey the law. They are also entitled to be free from crime, the depredations of criminals, and to drive or walk our public ways safe from the actions of reckless and careless drivers.

This department is charged with protecting these rights, for all, regardless of race, ethnicity, national origin, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public.

Because of the nature of their business, law enforcement officers are required to be observant, to identify unusual occurrences and law violations, and to act upon them. It is this proactive enforcement that keeps our citizens free from crime, our streets and highways safe to drive upon, and that detects and apprehends criminals. Officers shall actively enforce city ordinances, state and federal laws in a responsible and professional manner, without regard to race, ethnicity, national origin, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. Officers are strictly prohibited from engaging in bias-based policing as defined by this policy. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians.

Prohibition

Police Officers of the City of Andrews are strictly prohibited from engaging in bias-based policing.

Complaint Process

Any person who believes that a police officer employed by the Andrews Police Department has engaged in bias-based policing with respect to that person may file a complaint with the Department, and no person shall be discouraged, intimidated, or coerced from filing such a complaint, or be discriminated against because they have filed such a complaint.

How do I file a complaint?

A person wishing to file a complaint should first contact a supervisor at the Andrews Police Department. The supervisor will give you an Andrews Police Department Personnel Complaint Form. If you are unable to come to the Andrews Police Department, a form will be mailed to you. You may also download a complaint form from the City of Andrews website. Complaints of misconduct must be filed within thirty days of the occurrence. You are required to submit a complaint form with your signature. A notarized form is preferred but not required. An investigation of the complaint will be conducted as thoroughly as possible.

The Andrews Police Department is dedicated to providing exceptional service to its employees and citizens. Police employees are carefully selected, held to the highest standards, and provided with the best training available.

We are interested in the welfare of all citizens and in taking immediate action when our employees have proven derelict in their duties, or are guilty of wrongdoing. If it becomes necessary for you to make a complaint, you can be assured that it will be given a fair and thorough investigation.

For Additional Information

Please contact Andrews Police Department's on-duty supervisor at
432-523-5675.