

# APPENDIX A



# MILWAUKEE POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

### 001 – FAIR AND IMPARTIAL POLICING

GENERAL ORDER: 2014-105  
ISSUED: September 19, 2014

EFFECTIVE: September 19, 2014

REVIEWED/APPROVED BY:  
Assistant Chief James Harpole  
DATE: June 28, 2017

ACTION: Amends General Order 2013-04 (February 8, 2013)

WILEAG STANDARD(S): 1.7.8

#### 001.00 PURPOSE

The work of our police members has a substantial and positive effect on crime and helps us pursue our mission of creating neighborhoods capable of sustaining civic life. We recognize that crime disproportionately impacts some of our neighborhoods, and police tactics, while proper and effective, can at times be perceived as frightening or alienating. An unfortunate paradox exists: the vulnerable neighborhoods most in need of police services are often inhabited by residents who sometimes feel unfairly targeted by police. We must be aware that the way our authority is used is equally as important as the result of its use.

To that end, this policy is intended to reaffirm this department's commitment to fair and impartial policing, to clarify the circumstances in which officers can consider race, color, ethnicity, national origin, economic status, sexual orientation, gender identity or expression, age, ~~sex~~gender, ~~and~~ religion, immigration status, limited English proficiency, disability, and housing status when making law enforcement decisions, and to reinforce procedures that serve to ensure the public that we are providing service and enforcing laws in an equitable way.

#### 001.05 POLICY (WILEAG 1.7.8)

Police members shall not rely to any degree ~~consider on an individual's~~ race, color, ethnicity, national origin, economic status, sexual orientation, gender identity or expression, age, ~~sex~~gender, ~~or~~ religion, immigration status, limited English proficiency, disability, or housing status in carrying out law enforcement activities except when credible, locally relevant information links a person or people of specific characteristics/status, as listed above, to a specific unlawful incident, or to specific unlawful incidents, criminal patterns, or schemes. This restriction on the use of race/ethnicity does not apply to law enforcement activities solely designed to strengthen the department's relationship with a diverse community.

(WILEAG 1.7.8.2)

**Note:** Biased based profiling by our police members is prohibited and is defined as the following: Police-initiated action that relies to any degree upon common traits associated with belonging to a certain group; such as race, color, ethnicity, national origin, ancestry, age, gender, gender identity or expression.

sexual orientation, religion, marital status, economic status, disability, political affiliation, cultural group, immigration status, limited English proficiency, disability, housing status or any other identifiable characteristics of an individual rather than the behavior of that individual, or credible information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.  
(WILEAG 1.7.8.1)

Police members may use common traits as listed above in selecting whom they stop, when a person matches the specific description of an individual who is suspected of engaging in criminal behavior based on credible evidence.  
(WILEAG 1.7.8.2)



EDWARD A FLYNN  
CHIEF OF POLICE

EAF:kmd