

# STARBUCK POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL

- (a) The supervisor should take into consideration the normal shift of the DRE, as well as any vacation or time-off concerns.
- (b) If the DRE responds, he/she shall be compensated from the time of the notification, in accordance with the agreed upon Contracted Collective Bargaining Agreement (if applicable).
- (c) Starbuck Police Department, Glenwood Police Department, Minnesota State Patrol, Douglas County Sheriff's Office, and/or Alexandria Police Department have trained DRE(s) in the Starbuck area who may also be available to assist.
- (d) The same considerations and efforts shall be made by any other law enforcement agency that requests a DRE to assist in an investigation, so long as the request is made through the shift commander.

## **GENERAL ORDER 65** **AVOIDING RACIAL PROFILING**

### **POLICY**

It is the policy of the Starbuck Police Department to reaffirm our commitment to impartial policing and to reinforce procedures that serve to assure the public we are providing service and enforcing laws in a fair and equitable manner to all.

### **DEFINITIONS**

Racial profiling has the meaning given to it in Minn. Stat. 626.8471, Sub. 2. Which states: "Racial profiling," means any action initiated by law enforcement that relies upon the race, ethnicity, or national origin of an individual rather than:

- (1) The behavior of that individual; or
- (2) Information that leads law enforcement to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.

Racial profiling includes the use of racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling does not include law enforcement's use of race or ethnicity to determine whether a person matches a specific description of a particular subject.

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## PROCEDURES

### A. **Policing impartially, not racial profiling, is standard procedure for this agency meaning:**

1. Investigative detentions, pedestrian and vehicle stops, arrests, searches and property seizures by peace officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the United States Constitution and peace officers must be able to articulate specific facts, circumstances and conclusions that support reasonable suspicion or probable cause for investigative detentions, pedestrians and vehicle stops, arrests, nonconsensual searches and property seizures;
2. Except as provided in paragraph **3.**, Peace Officers shall not consider race, ethnicity, national origin, gender, sexual orientation, and religion in establishing either reasonable suspicion or probable cause; and
3. Peace officers may consider the descriptors in paragraph **2.** Based on information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals and this information may be used in the same manner officers use specific information regarding age, height, weight, or other physical characteristics about specific suspects.

### B. **To prevent the perception of biased law enforcement peace officers shall:**

1. Be respectful and professional.
2. Introduce or identify themselves with the citizen and state the reason for the contact as soon as practical unless providing this information will compromise officer or public safety;
3. Ensure detention is no longer necessary to take appropriate action for the known or suspected offense.
4. Attempt to answer any relevant questions the citizen may have regarding the citizen/officer contact including relevant referrals to other agencies when appropriate.
5. Provide their last name or badge number when requested.

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6. Explain and/or apologize if it is determined the reasonable suspicion was unfounded (e.g., after an investigatory stop).

C. Supervisors shall ensure all personnel in their command are familiar with the content of this policy and are complying.

## 65.1 DUTY TO REPORT

Every member of this department shall perform their duties in a fair and objective manner and are responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

## 65.2 VIOLATIONS

Alleged violations of this policy must be reported to POST in accordance with the reporting requirements in Minn. Stat. 626.8457.

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## **GENERAL ORDER 66**

### **PUBLIC ASSEMBLY AND FIRST AMENDMENT ACTIVITY**

**Minn. Rules 6700.1615**

**First Amendment US Constitution**

**Minnesota Constitution**

**609.705 Unlawful Assembly**

**609.71 Riot**

**609.066 Authorized Use of Force by Peace Officers**

**609.06 Authorized Use of Force**

## **PURPOSE**

The First Amendment to the Constitution of the United States of America states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."