

FORT FAIRFIELD POLICE DEPARTMENT

Standard Operating Procedure

407 – BIAS-BASED POLICING, HATE CRIMES AND CIVIL RIGHTS ENFORCEMENT

Effective Date	July 28, 2026
Legacy SOPs Replaced	SOP 41F – Hate/Bias Crimes and Bias-Based Profiling
Review Date	July 28, 2027
Policy Classification	Operational
Authority	Chief of Police
Version	1.0

I. PURPOSE

The purpose of this policy is to prohibit bias-based policing, establish procedures for the identification and investigation of hate crimes and bias-motivated incidents, ensure the protection of constitutional and civil rights, and provide guidance for the reporting, investigation, documentation, and resolution of complaints involving bias-based policing. This policy is intended to promote public confidence, safeguard individual rights, support victims, and ensure that all law enforcement services are provided fairly, impartially, and in accordance with the law.

II. POLICY

It is the policy of this agency to safeguard the constitutional and civil rights of all people and to provide law enforcement services in a fair, impartial, and professional manner.

Bias-based policing, bias-based profiling, discrimination, retaliation, or unequal treatment based upon race, color, ethnicity, ancestry, national origin, religion, sex, gender, gender identity, sexual orientation, age, physical disability, mental disability, socioeconomic status, or any other protected characteristic is strictly prohibited.

All enforcement actions, including investigative detentions, traffic stops, field interviews, searches, arrests, asset seizures, and forfeitures shall be based upon lawful authority, objective facts, reasonable suspicion, probable cause, observed behavior, credible witness information, or specific suspect information.

Bias-motivated incidents, hate crimes, and alleged civil rights violations shall be investigated thoroughly, documented completely, and addressed promptly. The agency

shall cooperate with the Office of the Attorney General, prosecutorial authorities, and other agencies as appropriate to ensure effective enforcement of civil rights protections.

The Chief Law Enforcement Officer shall designate a Civil Rights Officer to assist in coordinating compliance with this policy.

III. DEFINITIONS

Bias-Based Policing (Bias-Based Profiling) – Targeting, detaining, stopping, investigating, searching, questioning, arresting, or taking enforcement action against an individual based upon a trait common to a group, including but not limited to race, color, ethnicity, ancestry, national origin, religion, sex, gender, gender identity, sexual orientation, age, physical disability, mental disability, or socioeconomic status, rather than upon lawful authority, observed behavior, credible information, reasonable suspicion, or probable cause.

Bias-Motivated Incident – Any non-criminal or criminal act motivated in whole or in part by bias against a person's actual or perceived race, color, ethnicity, ancestry, national origin, religion, sex, gender, gender identity, sexual orientation, age, physical disability, mental disability, or socioeconomic status.

Civil Rights Officer – A member designated by the Chief Law Enforcement Officer to coordinate bias-motivated incident investigations, hate crime investigations, civil rights enforcement efforts, victim assistance, Attorney General notifications, complaint tracking, training coordination, and annual administrative reviews required by this policy.

Civil Rights Violation – Conduct that deprives, interferes with, intimidates, threatens, or otherwise infringes upon rights protected by the United States Constitution, the Maine Constitution, federal law, or Maine law.

Enforcement Activities – Activities undertaken by agency personnel arising from their authority as law enforcement officers, including traffic enforcement, pedestrian contacts, field interviews, investigations, searches, arrests, asset seizures, forfeitures, and other law enforcement actions.

Hate Crime – A criminal offense committed against a person or property that is motivated, in whole or in part, by bias against the victim's actual or perceived race, color, religion, sex, ancestry, national origin, physical or mental disability, sexual orientation, gender identity, or other protected characteristic recognized by law.

Probable Cause – Facts and circumstances within an officer's knowledge that would lead a reasonable person to believe that a crime has been committed and that a particular person committed that crime.

Protected Class – A category of people protected from discrimination under federal or state law.

Reasonable Suspicion – Specific and articulable facts, together with rational inferences drawn from those facts, that reasonably warrant an officer's belief that criminal activity has occurred, is occurring, or is about to occur.

Retaliation – Any adverse action, intimidation, coercion, threat, harassment, or discriminatory treatment directed toward a person because they reported, complained of, participated in, cooperated with, or provided information regarding an alleged violation of this policy.

Victim – Any person who is subjected to or targeted by a bias-motivated incident, hate crime, or civil rights violation.

IV. LEGAL AUTHORITY

This policy is adopted pursuant to **25 M.R.S. §2803-B** and other applicable provisions of Maine law requiring law enforcement agencies to maintain policies governing bias-based policing, hate crimes, and civil rights enforcement.

This policy is further guided by the Maine Civil Rights Act, applicable federal civil rights laws, constitutional protections afforded by the United States Constitution and the Maine Constitution, applicable Attorney General guidance, and established principles governing equal protection and lawful law enforcement practices.

Agency personnel shall remain familiar with applicable amendments to federal and state civil rights laws, Attorney General guidance, and Board of Trustees standards affecting the enforcement of this policy.

V. OPERATIONS

A. Bias-Based Policing Prohibited

Agency personnel shall not engage in bias-based policing under any circumstances.

No person shall be stopped, detained, searched, questioned, arrested, cited, investigated, subjected to enforcement action, or otherwise treated differently because of membership in a protected class.

All personnel shall conduct themselves professionally and respectfully during contacts with members of the public and shall treat all people fairly, impartially, and with dignity.

Nothing in this policy prohibits officers from appropriately considering race, color, ethnicity, sex, age, or other identifying characteristics when such characteristics are part of a specific suspect description, victim statement, witness statement, BOLO, criminal intelligence report, or other credible information directly related to a particular criminal investigation.

B. Lawful Enforcement Standards

All enforcement actions shall be based upon lawful authority and objective facts.

Officers shall be able to clearly articulate the facts and circumstances supporting reasonable suspicion, probable cause, consent, community caretaking responsibilities, or other lawful authority for enforcement actions.

Investigative decisions shall be based upon conduct, behavior, information, evidence, witness statements, criminal intelligence, or other legally recognized factors rather than generalized assumptions, stereotypes, or protected-class status.

Investigative detentions, searches, seizures, and other enforcement actions shall be no more intrusive and no longer than reasonably necessary to accomplish legitimate law enforcement objectives.

C. Response to Bias-Motivated Incidents and Hate Crimes

Communications personnel receiving a report of a suspected hate crime or bias-motivated incident shall promptly provide responding officers with all available information relevant to officer safety, victim safety, the nature of the incident, and any known suspect information.

Officers responding to suspected bias-motivated incidents or hate crimes shall take appropriate action to protect victims, preserve evidence, prevent further harm, and determine whether bias may have motivated the incident.

Responding officers shall:

- Secure and protect the scene;

- Identify victims, witnesses, and suspects;
- Obtain statements from involved people;
- Document statements, language, gestures, symbols, markings, writings, social media activity, or other evidence indicating bias motivation;
- Photograph and preserve evidence whenever practical;
- Identify immediate victim assistance needs; and
- Notify a supervisor when bias motivation is reasonably suspected.

When practical, officers should advise victims of available victim advocacy services and preserve evidence that may establish bias motivation in addition to the underlying criminal offense. Officers shall not dismiss or minimize allegations of bias motivation solely because additional criminal motives may also exist.

D. Supervisory Responsibilities

Supervisors shall ensure that allegations involving bias-based policing, hate crimes, bias-motivated incidents, or civil rights violations receive prompt and appropriate attention.

Supervisors shall:

- Respond when appropriate;
- Review reports for completeness;
- Ensure proper classification of incidents;
- Ensure evidence is preserved;
- Ensure notifications required by this policy are completed; and
- Coordinate with the Civil Rights Officer when appropriate.

Supervisors shall remain alert to patterns, trends, or practices suggesting potential bias-based policing or discriminatory conduct and employ the agency's early intervention system if appropriate.

E. Civil Rights Officer

The Chief Law Enforcement Officer shall:

- Designate a Civil Rights Officer;
- Ensure the Office of the Attorney General is provided with the Civil Rights Officer's name and current contact information and is notified promptly of any change in assignment; and

- Ensure the identity and contact information of the Civil Rights Officer are available to agency personnel, the public, and other law enforcement agencies.

The Civil Rights Officer shall:

- Coordinate hate crime and bias-motivated incident investigations;
- Assist in monitoring agency compliance with this policy;
- Notify the Office of the Attorney General when required by law, Board of Trustees standards, or agency policy.;
- Serve as liaison to the Office of the Attorney General;
- Coordinate required notifications;
- Assist investigators and supervisors;
- Track bias-based policing complaints;
- Coordinate victim assistance efforts;
- Maintain records required by this policy;
- Assist with annual administrative reviews;
- Recommend policy, training, or operational improvements; and
- Coordinate community outreach efforts when appropriate.

The Civil Rights Officer may assume investigative responsibility for incidents involving significant civil rights concerns, complex hate crime investigations, or allegations of bias-based policing as directed by the Chief Law Enforcement Officer.

F. Attorney General Notification

The Civil Rights Officer shall notify the Office of the Attorney General of reportable hate crimes and civil rights investigations as required by law and Board of Trustees standards.

Complaints alleging bias-based policing shall be reported to the Office of the Attorney General.

Upon completion of the agency's investigation, the Chief Law Enforcement Officer shall notify the Office of the Attorney General of the results of that investigation.

The Civil Rights Officer shall coordinate with the Office of the Attorney General and the appropriate prosecuting authority to ensure that legally sufficient cases are developed for enforcement of the Maine Civil Rights Act and prosecution of bias-motivated crimes.

Victims and complainants shall be provided information regarding the Office of the Attorney General complaint process when appropriate.

G. Victim Assistance

Victims of hate crimes, bias-motivated incidents, and civil rights violations often experience significant emotional, psychological, and community impacts beyond the underlying criminal conduct.

Agency personnel shall treat victims with sensitivity, professionalism, and respect.

The Civil Rights Officer or designee shall ensure reasonable efforts are made to:

- Provide information regarding available services
 - Facilitate referrals to victim assistance resources
 - Provide appropriate status updates
 - Maintain communication with victims consistent with agency policy, investigative needs, and victim safety considerations.
 - Assist victims in understanding available reporting and complaint options
-

H. Complaints of Bias-Based Policing

Any person may file a complaint alleging bias-based policing.

Complaints may be submitted in person, in writing, electronically, by telephone, or through any other reasonable means.

Employees receiving such complaints shall document the complaint and promptly notify a supervisor.

Complaints alleging bias-based policing shall be investigated in accordance with SOP 106 – Personnel Complaints / Internal Affairs.

I. Review and Administrative Analysis

The Civil Rights Officer shall assist in maintaining records of:

- Bias-based policing complaints;
- Hate crime investigations;
- Bias-motivated incident investigations;
- Civil rights complaints; and
- Attorney General notifications.

The Civil Rights Officer shall participate in conducting an annual documented review of agency practices, complaints, investigations, training, and enforcement activities to help identify trends, patterns, concerns, training needs, or policy issues. The review should also evaluate training effectiveness, community concerns, policy compliance, and

opportunities for improving public confidence. This review shall be submitted to the Chief Law Enforcement Officer.

When a pattern suggesting potential bias-based policing is identified, the Chief Law Enforcement Officer shall ensure appropriate investigation, corrective action, training, or referral to the agency's Early Intervention System as deemed appropriate.

J. Retaliation Prohibited

No person shall be intimidated, threatened, coerced, harassed, discriminated against, or retaliated against for:

- Reporting a violation of this policy;
- Filing a complaint;
- Providing information;
- Participating in an investigation; or
- Cooperating with investigators.

Retaliation constitutes serious misconduct and may result in disciplinary action.

K. Training

Agency personnel shall receive training regarding, as appropriate:

- Bias-based policing;
- Civil rights enforcement;
- Hate crimes;
- Bias-motivated incidents;
- Cultural awareness;
- Victim assistance responsibilities;
- Training specific to a Civil Rights Officer's duties; and
- Applicable legal updates.

Training shall be provided at least biennially and whenever significant legal, policy, or operational changes occur.

APPENDIX A

BOT & MLEAP STANDARDS CROSSWALK

Purpose, Policy and Legal Authority

Authority

25 M.R.S. § 2803-B – Law Enforcement Policies

BOT 6-1 – Investigation of Bias-Motivated Complaints

BOT 6-2 – Familiarity with Civil Rights Laws

BOT 6-11 – Compliance with BOT Standards

BOT 13-1 – Bias-Based Profiling Prohibition

BOT 13-4 – Compliance with BOT Standards

MLEAP 2.01 – Bias Based Policing

MLEAP 2.17 – Individual Rights

Addressed in: Sections I, II, IV

Required Definitions

Authority

BOT 6-3 – Hate or Bias Crime and Bias-Motivated Incident Definitions

BOT 13-2 – Bias-Based Profiling Definition

Addressed in: Section III

Bias-Based Policing Prohibition and Lawful Enforcement

Authority

BOT 13-1 – Bias-Based Profiling Prohibition and Lawful Enforcement Standards

MLEAP 2.01 – Bias Based Policing

MLEAP 2.17 – Individual Rights

Addressed in: Sections II, V.A, V.B

Communications and Initial Response

Authority

BOT 6-4 – Dispatching Procedures

BOT 6-5 – Investigative Procedures for Bias-Motivated Incidents

Addressed in: Section V.C; Appendix C

Hate Crime and Bias-Motivated Incident Investigations

Authority

BOT 6-1 – Investigation of Bias-Motivated Complaints

BOT 6-5 – Investigative Procedures for Bias-Motivated Incidents

Maine Civil Rights Act

MLEAP 2.17 – Individual Rights

Addressed in: Section V.C; Appendix C

Supervisory Responsibilities

Authority

BOT 6-5 – Investigative Procedures for Bias-Motivated Incidents

MLEAP 2.01 – Bias Based Policing

Addressed in: Section V.D

Civil Rights Officer Designation and Responsibilities

Authority

BOT 6-6 – Civil Rights Officer Selection, Assignment, Training and Attorney General Notification

BOT 6-7 – Civil Rights Officer Duties

BOT 6-8 – Identification of Civil Rights Officer

Addressed in: Sections II, V.E

Attorney General Notification and Coordination

Authority

BOT 6-9 – Attorney General Notification and Reporting

BOT 6-10 – Coordination with the Attorney General and District Attorney

BOT 13-3 – Attorney General Notification and Reporting of Bias-Based Policing Complaints

Maine Civil Rights Act

Addressed in: Section V.F; Appendices C, D

Victim Assistance

Authority

BOT 6-7 – Civil Rights Officer Duties

Maine Civil Rights Act

MLEAP 2.17 – Individual Rights

Addressed in: Sections V.E, V.G; Appendix C

Bias-Based Policing Complaints

Authority

BOT 13-3 – Attorney General Notification and Reporting Procedures

MLEAP 2.04 – Internal Investigations

MLEAP 2.06 – Complaints Requiring an Investigation

Addressed in: Sections V.F, V.H; Appendices B, D

Records, Tracking and Complaint Security

Authority

MLEAP 2.09 – Records and Security of Complaints and Investigations

Addressed in: Sections V.E, V.I; Appendices B, E

Annual Administrative Review

Authority

MLEAP 2.01 – Bias Based Policing

Addressed in: Section V.I; Appendix E

Retaliation Prohibited

Authority
Maine Civil Rights Act
MLEAP 2.17 – Individual Rights
Addressed in: Section V.J

Training
Authority
BOT 6-6 – Civil Rights Officer Training
MLEAP 2.01 – Bias Based Policing
MLEAP 3.06 – In-Service Sworn Officer Training
Addressed in: Sections V.E, V.K

APPENDIX B

BIAS-BASED POLICING COMPLAINT FORM

Agency: _____

Case Number: _____

Date Received: _____

Received By: _____

Complainant Information

Name: _____

Address: _____

Telephone: _____

Email: _____

Preferred Method of Contact: _____

Incident Information

Date of Incident: _____

Time of Incident: _____

Location: _____

Officer(s) Involved: _____

Witnesses: _____

Basis of Complaint

☐ Race

☐ Color

☐ Ethnicity

☐ Ancestry

☐ National Origin

☐ Religion

☐ Sex

☐ Gender

☐ Gender Identity

☐ Sexual Orientation

☐ Age

☐ Physical Disability

☐ Mental Disability

☐ Socioeconomic Status

☐ Other: _____

Description of Incident

Complainant Certification

I affirm that the information provided is true and accurate to the best of my knowledge.

Signature: _____

Date: _____

APPENDIX C

HATE CRIME / BIAS-MOTIVATED INCIDENT INVESTIGATION CHECKLIST

Initial Response

- ☐ Scene secured
- ☐ Injuries assessed
- ☐ Medical assistance requested
- ☐ Victim safety addressed
- ☐ Supervisor notified
- ☐ Civil Rights Officer notified

Investigation

- ☐ Victim interviewed
- ☐ Witnesses identified and interviewed

- ☐ Suspect identified
 - ☐ Statements obtained
 - ☐ Evidence collected
 - ☐ Photographs obtained
 - ☐ Video reviewed
 - ☐ Social media evidence reviewed
 - ☐ Prior related incidents reviewed
-

Bias Indicators

- ☐ Slurs used
 - ☐ Threats made
 - ☐ Hate symbols displayed
 - ☐ Property targeted
 - ☐ Protected-class status referenced
 - ☐ Prior history of similar conduct
 - ☐ Timing or location suggests bias motivation
 - ☐ Other indicators documented
-

Notifications

- ☐ Prosecutor notified
 - ☐ Civil Rights Officer notified
 - ☐ Attorney General notification completed (if required)
-

Victim Assistance

- ☐ Victim resources provided
 - ☐ Follow-up contact scheduled
 - ☐ Victim notified of available services
-

Documentation

- ☐ Incident report completed
 - ☐ Supplemental reports completed
 - ☐ Evidence logged
 - ☐ Final review completed
-

APPENDIX D

ATTORNEY GENERAL BIAS-BASED POLICING COMPLAINT INFORMATION

Individuals who believe they have been subjected to bias-based policing may file a complaint with the agency and may also file a complaint with the Maine Office of the Attorney General.

Current contact information for the Office of the Attorney General, including the Investigation Division, shall be maintained by the Civil Rights Officer and made available to agency personnel and complainants as appropriate.

Agency personnel receiving complaints alleging bias-based policing shall advise complainants of the availability of the Attorney General complaint process.

Nothing in this policy prevents a person from pursuing any remedy available under federal or state law.

APPENDIX E

ANNUAL CIVIL RIGHTS REVIEW FORM

Review Year: _____

Prepared By: _____

Date Completed: _____

Complaint Review

Number of Bias-Based Policing Complaints: _____

Number Sustained: _____

Number Not Sustained: _____

Number Exonerated: _____

Number Unfounded: _____

Hate Crime / Bias-Motivated Incident Review

Number of Investigations: _____

Number Cleared: _____

Number Referred for Prosecution: _____

Training Review

Biennial Training Completed: ☐ Yes ☐ No

Additional Training Conducted: ☐ Yes ☐ No

Training Needs Identified: _____

Policy Review

Policy Revisions Recommended:

Findings and Recommendations

Civil Rights Officer Signature:

Date: _____