

UW Whitewater Police



Biased Policing		Number: 1.2.9	No. Pages: 2
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I. Purpose

The purpose of this General Order is to provide UW-Whitewater Police Department employees a written directive regarding biased policing.

II. Definitions

Biased Policing: The selection of an individual(s) for enforcement action based in whole or in part on a trait common to a group, without actionable intelligence to support consideration of that trait. This includes but is not limited to, race, ethnic background, national origin, gender, sexual orientation/identity, religion, economic status, age, cultural group, or any other identifiable characteristics.

Criminal Profiling: An investigative method in which officers, through observation of activities and the environment, identify suspicious people and develop a legal basis to stop them for questioning.

III. Policy

It is the policy of the UW-Whitewater Police Department (UWWPD) that bias policing or any other type of discriminatory practice, including racial profiling or race-based decision making is prohibited. Additionally, UWWPD prohibits, discrimination against any person based on race, ethnicity, national origin, religion, age, gender, gender identity/expression, sexual orientation, immigration status, disability, housing status, occupation, language fluency, or other identifiable group. Bias-based profiling constitutes discrimination and may lead to allegations of violations of the constitutional rights of the citizens we serve, undermine legitimate law enforcement efforts, and may lead to claims of civil rights violations. Biased policing also alienates the public, fosters distrust of law enforcement by the community, invites media scrutiny, and invites legislative action, and judicial intervention.

IV. Procedure

A. Overview

1. Common Traits: UWWPD personnel should focus on a person's conduct and not consider common traits unless:

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- a. That trait has been associated with a specific suspect of a crime; or
 - b. The suspect is associated with a pattern of incidents in a particular area.
 2. Bias-based Profiling:
 - a. Employees of UWWPD are strictly prohibited from engaging in bias-based profiling when conducting any law enforcement activity, including traffic and field contacts, searches, investigatory detentions, asset seizure, and forfeiture proceedings. Such actions shall be based on:
 - i. A standard of reasonable suspicion or probable cause as required by federal laws, state statutes, and UWWPD directives; or
 - ii. A person matches the specific description of an individual who is suspected of engaging in criminal behavior.
 - b. Bias-based profiling should not be confused with criminal profiling, which is recognized as a legitimate law enforcement tool.
 3. Officers shall maintain professional objectivity through constant self-examination, evaluation, and awareness of personal prejudices.
 4. Accepted community and problem-oriented policing practices shall be utilized to identify problems and reduce crime.
- B. Training
 1. Affected agency personnel shall receive initial training within the first 60 days of assignment.
 2. Training should be used to address the following: cultural diversity; constitutional requirements; department directives; legal aspects; and other agency practices.
 3. A documented review of UWWPD's general order related to unlawful bias (GO1.2.9) by all department personnel.
- C. Corrective Measures
 1. Remedial training, in-service training, or employee counseling shall be immediately implemented if bias-based profiling occurs or the annual administrative analysis finds possible bias, or when deemed appropriate.
 2. Any officer found to be involved in such activity may also be subject to disciplinary action, including written warning, suspension, demotion, or termination.
- D. Annual Administrative Review
 1. The Chief of Police or designee shall be responsible for conducting a documented annual administrative review of agency practices, including citizen concerns, as they relate to bias-based profiling.
 2. The review should at a minimum include;
 - a. An analysis of citizen complaints, concerns, and comments;
 - b. A summary of pertinent statistical data;
 - c. An overview of any training conducted;
 - d. Any corrective actions taken; and
 - e. Procedural or policy recommendations, if any.