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## **Purpose**

The mutual trust that is engendered by policing practices that are respectful, fair, and unbiased is the critical element in establishing strong police-community partnerships. The mere perception of mistreatment, disrespect, or disengagement of the community on the part of the police can be immensely damaging. Cultivating and sustaining these partnerships can help the police be more effective in the myriad duties and responsibilities carried out by modern law enforcement agencies. (IACP, 2017)

## **Policy**

It is the policy of the Bemidji Police Department to ensure the civil rights of all people are protected while performing police duties.

## **Procedure**

### **I. Individual Rights:**

- A.** All citizens of this country are guaranteed protection against unlawful arrest and unreasonable search or seizure. Department personnel will uphold these protections and only act where there are reasonable grounds to believe / or:
  - 1. An arrest warrant exists for the person, or
  - 2. The person has committed or is committing a law violation.
  - 3. Has in his/her possession a search warrant authorizing entry into a private dwelling.
  - 4. Has in his/her possession a search warrant authorizing them to obtain a sample(s) from the subject.
  - 4. That a person whom he/she is authorized to arrest is within such private dwelling.
  - 5. Has reason to believe that immediate entry is necessary to protect a person within such private dwelling from death or serious injury
- B.** Officers will seize only such property as he/she is legally authorized to take.
- C.** When making a lawful arrest or authorized search or seizure department personnel will use force only when the exercise of persuasion, advice, and warning is found to be insufficient to obtain cooperation and use only the minimum degree of such physical force necessary on that particular occasion.
- D.** At all times the department personnel will:
  - 1. Act, speak, and conduct themselves in such manner as to treat all persons with

- courtesy and with that respect and dignity due to every person.
2. Never show any bias against any race, religion, or other group or individual.
  3. Never talk “down” to any group or individual or engage in the use of derogatory terms.

## **II. Freedom of Speech and Assembly**

- A.** All citizens are guaranteed the right to seek redress of grievances by:
1. Freedom of speech
  2. Peaceful assembly
  3. Peaceful picketing
  4. Distribution of handbills providing such distribution is not in conflict with ordinances, state or federal law.
- B.** The rights set under point II-A, while fundamental in our democratic society, do not mean that everyone with opinions or beliefs may do so at any public place and at any time. The Constitutional guarantee of liberty implies the existence of an organized society maintaining public order, without which liberty itself would be lost in the excesses of anarchy. The exercise of these rights must not:
1. Conflict with the governmental responsibility to keep public streets and public facilities open, and available for public use.
  2. Violate any law or ordinance.
  3. Include the use of inflammatory remarks related to any instance where a clear and present danger of a riot against any person or group of persons exists.
- C.** Every necessary resource of the department will be employed to rapidly and decisively enforce statutes and ordinances which provide for the protection of the rights and property of all citizens.
1. Police personnel in command at the scene of any assembly will be aware of their responsibility to afford protection to both participants, and non-participants, and will deal with illegal acts promptly, decisively, and impartially.

## **III. Arrested Persons**

- A.** All citizens of this country in keeping with our democratic processes are guaranteed certain Constitutional safeguards. These safeguards will not be denied any citizen though he/she has committed, or is suspected of having committed a criminal act.
- B.** Department personnel will at all times be aware of a prisoner’s rights and will:
1. Permit a prisoner to communicate with his attorney and a member of his/her family by making a reasonable number of telephone calls.

2. Expedite all necessary processing so that the prisoner will be not be detained longer than necessary.
3. Never use force or coercion in seeking admissions of guilt or confessions.
4. Recognize and respect the prisoner's right to refuse to give evidence against him or herself; however there is no encroachment upon a prisoner's rights if he/she should voluntarily supply such information.

**Reference or Revision Date(s):**

A. Protecting Citizens' Civil Rights (2006) – International Association of Chiefs of Police, Retrieved from: <http://www.theiacp.org/-Protecting-Citizens-Civil-Rights-PCCR->

B. REVISION DATE(S):