

MEMORANDUM FOR DE'CARLON SEEWOOD, CITY MANAGER

FROM: GEOFF JONES, CHIEF OF POLICE

SUBJECT: VEHICLE STOPS IN COLUMBIA

DATE: JUNE 3, 2022

CC: MAYOR AND CITY COUNCIL

This document supplements the Council Memo on vehicle stops scheduled for the Council's June 6, 2022 Reports Agenda. It represents the information available to the Columbia Police Department as of June 3. The terms "vehicle stops" and "traffic stops" are used interchangeably.

There is a history of controversy surrounding traffic stops. There has been...and will continue to be...a continuing effort to address bias in policing and in traffic stops. The Department approaches the potential for bias through policy, training, performance expectations, accountability and data review. There is progress and still work to be done.

### **Policy**

Four CPD policies (attached to this document) directly influence traffic stop practices and are briefly summarized below.

Policy 322, Search and Seizure: Assures that officers will conduct searches in strict observance of the constitutional rights of persons being searched and that all seizures will comply with relevant federal and state law.

Policy 402, Bias-Free Policing: Requires officers to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group.

Policy 500, Traffic Enforcement Function: Prohibits blanket saturations and requires a written record of each stop, which is recorded in the Department's RMS system.

Policy 506, Traffic Stops/Approaches and Violator Contacts: Reinforces compliance with Sec. 590.650, RSMo, Missouri's anti-racial profiling law (attached).

At the start of the COVID-19 pandemic, I issued a General Order restricting traffic stops to hazardous moving violations and investigative stops, where articulable and actionable information or intelligence was present. This limited close contact between our officers and the public to avoid transmitting the virus. It also allowed us to continue to respond to calls during staff shortages.

When I lifted the order a year later, I issued written expectations (attached) for all CPD employees. Each employee and supervisor signed a document indicating their understanding and acceptance of the expectations. Those that apply to officers direct them consider the long-term effects of their traffic enforcement strategies.

### **Training and Cultural Competence**

Every CPD officer receives training in customer service, community policing and racial profiling. Although the title of the training has changed over the years ("Racial Profiling," "Fair and Impartial Policing" and currently "Implicit Bias") we continue to adapt our training to prepare officers for changing environments.

Currently the Department conducts a three-hour training during in-service sessions and for new hires during the onboarding process (see attached outline). The course is approved by the Missouri POST (Police Officer Standards and Training) Commission. All of our trainings emphasize community-based policing and bias-free decision making. We will conduct more sessions this year for those who were not employed during earlier sessions.

The Department added a sworn position within its Internal Affairs Unit to address cultural competence internally and in the community. Officer Tony Parker is CPD's Diversity, Equity and Inclusion (DEI) Officer.

This position serves as a catalyst to leverage best practices and promote a culture of inclusion where individuals from all racial and ethnic identities, ages, nationalities, social and economic status, sexual orientation, gender identity, religious, political and ideological perspectives are able to thrive and be engaged. The Officer examines and audits Department policies through an equity lens to ensure they promote a fair and inclusive environment for all.

The DEI Officer provides strategic and programmatic leadership for diversity, equity and inclusion initiatives. He also provides training that promotes understanding of our differences and similarities and offers effective support. Training covers unconscious bias, diversity, equity, inclusion, privilege, advantage/disadvantage, societal hierarchies, organizational hierarchies, brain function in relation to processing information, association, stereotypes, subconscious racial bias, labeling, psychological safety, psychological danger, code switching, micro aggression, prejudice, emotional intelligence, inclusive climate, engagement, disengagement and satisfaction.

## **Accountability**

In 2019, I formed the Police Chief's Vehicle Stops Committee, composed of those in the police profession and other community members. Their charge is to examine variables influencing traffic stops and identify areas of concern, gaps in data and policy and training issues. To support their work, a University of Missouri research team conducted an independent study and recommended actions for the Committee's consideration. As we assess our traffic stop practices, we take into account these suggestions and those gained from listening tours and citizen feedback.

So far, the Vehicle Stops Committee has recommended convening focus groups on race relations; collecting more information on traffic stops than required by state law; and de-emphasizing odor-only searches during traffic stops. The Committee has heard testimony from Black residents at their meetings, and they participated in a City-community visit to the National Civil Rights Museum in Memphis in 2019. CPD adopted all of their data collection recommendations unless they were pre-empted by state procedures or would have duplicated information already available in our records management system. We have re-trained officers to record this information during traffic stops.

The Department already has started to deemphasize odor-only searches. With the recent change in Missouri's marijuana laws, we have adjusted our investigation guidelines to ensure we are not interfering with a person's right to legally possess marijuana for medical purposes. This includes K9 searches. New K9s will not be trained to detect the odor of marijuana. Current dogs that are trained to detect marijuana will not justify a further search without more information to justify a more involved search.

Policy 470, Medical Marijuana, currently addresses the odor of marijuana. Any search where odor was a contributing factor to establishing probable cause will be documented on body worn cameras. Current policies are under review, and future policies will be written to include a de-emphasis on odor-alone probable cause searches. Each policy will be individually reviewed by a committee to include the Diversity and Equity Officer.

Each month supervisors are required to randomly audit both in-car and body worn camera videos of the officers they supervise. Any training or supervisory issues they observe are documented and addressed as needed through chain of command. If an issue is referred to the Internal Affairs Unit, the supervisor has the discretion to make that determination, and an investigation may be initiated.

Patrol supervisors already review all citations issued by their officers. Based on recommendations made by the Vehicle Stops Committee and CPD Command Staff, beginning July 1, 2022 supervisors will be required to audit all traffic stop videos where searches based on odor or consent are performed.

MU researchers recommended analyzing data more deeply; surveying residents and officers on perspectives and challenges; incorporating that information into training; and studying the effects of a "university town" on traffic stops. The research team said that CPD "is at

the forefront” nationally in its approach to data collection and transparency. I believe the community as a whole could benefit from this additional analysis, if funding is available.

## **Data**

We are working with the City’s Information Technologies Department to develop dashboards for both public and internal users. Issues with our RMS system have made it difficult to extract needed data, but we have made progress. In addition, we have preliminary approval to move forward with a new system that would make this type of transparency more attainable and sustainable.

In 2021, CPD conducted 473 traffic stops identified as “investigative stops” in the Attorney General’s 2021 Vehicle Stops Report. These stops are those where there is actionable information that there is criminal activity (often violent crime investigations) and the officer stops a car for the purpose of taking someone into custody or to investigate further. These are not discretionary stops, in my opinion.

Doing a hand count, we separated investigative stops from total stops and calculated an adjusted disparity without including them. I believe this adjusted disparity is the number we should concentrate on to look for issues and weed out potential biased behaviors. We must continue to make stops as part of a crime reduction strategy to investigate criminal activity.

A large majority of investigative stops are conducted by CPD’s Special Investigations Division and, more specifically, the Street Crimes Unit in concert with Patrol Officers. This division is tasked with identifying, investigating, and arresting the most violent criminals in Columbia. These individuals are responsible for the violence, shootings and homicides that cause fear and apprehension in our community.

In the last six months, the Department has trained officers to properly identify and mark an “investigative stop” on the racial profiling report form filled out after each traffic stop. We found that officers sometimes mark an equipment violation (such as “fail to signal”) and forget to identify the “investigative” component of the incident. This skews the total sum of investigative stops and makes it difficult to accurately report these numbers. Continual training and reminders are needed.

Monthly vehicle stop reports are being automated so supervisors are able to see a total sum. Another report will show any “searches conducted” so supervisors can review and ensure they are in accordance with policy and determine if any training needs are identified.

The Department’s 473 investigative stops are detailed below. Discounting the 47 that were unknown and undetermined, an adjusted disparity index for drivers is 3.07. The Attorney General’s revised 2021 report for Columbia is attached.

<b># Investigative Stops</b>	<b>Reason for Stop</b>
47	Unknown nature. Could not be specified from CAD notes.
47	Detailed and element of DWI, C&I or road rage (which actively endanger other motorists and pedestrians) resulting in a traffic stop.
87	Associated with dangerous drugs and many involving violent drug dealers and traffickers.
54	Stolen vehicles, stolen license plates or larceny suspects.
79	For subjects identified by officers or detectives as having outstanding warrants. Includes the use of the ALPR system (license plate recognition technology) and the officer running the owner's registration and identifying the owner as having a warrant for arrest.
37	Subject involved in a crime against persons, such as physical disturbance, domestic violence, physical assault or court order violation.
29	Related to ongoing shoot investigations.
18	Related to a homicide investigation, robbery or other gun-related violent crime.
2	A non-traffic stop and a duplicate entry
73	Many identified as trespass subjects, leaving accident scenes, attempts to locate missing juveniles or a burglary theft special detail assignment
Total 473	

I focus on investigative stops because that is where the most stark...and most persistent... disparity for Black drivers occurs. Although I cannot police to a number or suggest that a disparity will never exceed 1.0, I believe that bias against any group is unacceptable. We will continue addressing biased policing wherever it occurs.

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## SEARCH AND SEIZURE

**Approved By:** Geoffrey Jones Interim Chief of Police

**CALEA 6<sup>th</sup> Edition Standard:** 1.2.4

## 322 SEARCH AND SEIZURE

### 322.1 PURPOSE AND SCOPE

Both the federal and the state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Columbia Police Department personnel to consider when dealing with search and seizure issues.

### 322.2 POLICY

It is the policy of the Columbia Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

In accordance with the Training Policy, the Department will provide relevant and current training to officers as guidance for the application of current law as well as local community standards and prosecutorial considerations to specific search and seizure situations as appropriate.

### 322.3 SEARCHES

The Fourth Amendment - U.S. Constitution: **“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”**

The Fourth Amendment generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions to the rule that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent.
- Stop and Frisk/Pat down search for weapons.
- Vehicle searches under certain circumstances (exigency, automobile exception, etc.).
- Vehicle Inventory.
- Exigent circumstances.
- Incident to a lawful arrest.
- Seizure of evidence or contraband in plain view or by plain touch.

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Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property where the officer has legal access and observations of activities and property located on open public areas.

All exceptions require the officer to be able to articulate the facts that justify and support his/her belief that the application of the exception to the warrant requirement was appropriate and reasonable. These facts should be explained in the officer's report.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor or other available resource to resolve questions regarding search and seizure issues prior to electing a course of action.

#### **322.4 SEARCH PROTOCOL**

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following general guidelines should be followed whenever circumstances permit:

- a. Members of this department will strive to conduct searches with dignity and courtesy.
- b. Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- c. Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- d. In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.

#### **322.5 CONSENT SEARCHES**

Searches conducted pursuant to a valid consent are an exception to the general warrant requirement. The following guidelines have been established for search and seizure without a warrant based on consent to search:

- a. To be valid, the person granting consent must have the authority to do so. Generally officers of this department should only ask for consent to search when they have articulable reasonable suspicion that does not yet reach probable cause.
- b. The officer requesting the consent search shall inform the person that they have the right to refuse the search and may withdraw consent at any time during the search.
- c. Officers wishing to conduct a consent search shall document the request for consent by capturing the interaction on their body worn camera video. This interaction will also be documented, at a minimum, in the CAD notes for the call using keywords "Consent Granted" or "Consent denied" as

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applicable. If a report is required for the incident, the request for consent and the associated response and officer actions shall be described in the report.

Officers who are not issued a body worn camera shall document their request for a consent search, at a minimum, in the CAD notes of the call using the applicable keywords as listed above. If a report is required for the incident, the request for consent and the associated response and officer actions shall be described in the report.

**322.6 STOP AND FRISK/PAT-DOWN SEARCH FOR WEAPONS**

A Stop and frisk/Pat-Down Search for Weapons of an individual is allowed under certain circumstances as described below in *Terry v. Ohio*:

- a. *Terry v. Ohio*, 392 U.S. 1 (1968) was a landmark decision by the United States Supreme Court which held that the Fourth Amendment prohibition on unreasonable searches and seizures is not violated when a police officer stops a suspect on the street and frisks him or her without probable cause to arrest, if the police officer observes unusual conduct which leads him to reasonably conclude, based on his experience, that the person (1) has committed, is committing, or is about to commit a crime; and (2) that person "may be armed and presently dangerous."
- b. For their own protection, police may perform a carefully limited surface search of the person's outer clothing for weapons if they have reasonable suspicion that the person stopped is armed and presently dangerous. This reasonable suspicion must be based on "specific and articulable facts" and not merely upon an officer's hunch. This permitted police action has subsequently been referred to in short as a "stop and frisk" or simply a "Terry frisk". The Terry standard was later extended to temporary detentions of persons in vehicles, known as traffic stops; see Terry stop for a summary of subsequent jurisprudence.
- c. The rationale behind the Supreme Court decision revolves around the understanding that, as the opinion notes, "The rule of excluding evidence seized in violation of the Fourth Amendment has its limitations." The meaning of the rule is to protect persons from unreasonable searches and seizures aimed at gathering evidence, not searches and seizures for other purposes (like prevention of crime or personal protection of police officers).
- d. Courts will decide the reasonableness of suspicion on a case-by-case basis. An officer may detain (investigative detention or stop) an individual without probable cause to arrest if the officer has reasonable grounds, based on specific facts, clearly expressed, that the detention was necessary in the interests of crime detection and prevention.
- e. Frisk is used to describe the precaution of running the hands quickly up and down and around a person's clothing to discover possession of a weapon. Courts have justified the procedure, generally, as a precautionary measure for the purpose of discovering weapons which might pose a threat to the officer's safety while questioning a person under investigation.

Circumstances that may establish justification for performing a pat-down search include, but are not limited to:

- a. The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
- b. Where more than one suspect must be handled by a single officer.



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- c. The hour of the day and the location or area where the stop takes place.
- d. Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- e. The appearance and demeanor of the suspect.
- f. Visual indications that suggest the suspect is carrying a firearm or other weapon.

**322.7 SEARCH OF A MOTOR VEHICLE**

- a. The "Carroll Doctrine" (*Carroll v. United States*) in criminal law, Carroll doctrine refers to a principle that permits a police officer to search an entire motor vehicle and any containers inside it if there is **probable cause** to believe the vehicle contains contraband or the fruits, instrumentalities or evidence of criminal activity.
- b. Incident to a lawful arrest of an occupant, motor vehicles and other conveyances may be searched without a search warrant under the following guidelines:
  1. *Arizona v. Gant* - Officers may search the passenger compartment of a vehicle incident to arrest under two scenarios:
    - i. The arrestee and/or other occupants of the car are unsecured and within reaching distance of the passenger compartment at the time of the arrest; or
    - ii. The officer has a "reasonable belief" that evidence relevant to the crime of arrest might be found in the vehicle.

Once a driver and passengers have been secured, other justification must be used to search the interior of the vehicle.

2. Officers may conduct a search of a vehicle, which do not fall under "incident to arrest" situations under other exceptions to the warrant requirement (i.e. consent search, plain view, probable cause, search for weapon upon reasonable suspicion, and valid inventory search).
3. If the vehicle has no connection with the offense, the search incident to arrest of the vehicle should be limited to the entire passenger compartment and all open or closed containers therein. Locked containers located within the passenger compartment should not be searched without a warrant. Exigent circumstances may exist which may permit an exception to the warrant requirement.
4. The trunk of a vehicle cannot be searched solely for the purpose of an in-custody incident to a lawful arrest incident. If probable cause exists for a specific item that is believed to be located in the trunk of the vehicle, the trunk may be opened and searched without a warrant because of the mobility of the vehicle. If a locked container is found and probable cause exists to search it, a warrant should be obtained.
5. The Mobility of a motor vehicle may constitute an exigent circumstance authorizing a warrantless search.
6. To search a vehicle under exigent circumstances, an officer must have probable cause to believe that it contains seizable items.
7. If probable cause exists to search a vehicle for contraband the vehicle may be searched relative to the size of the contraband being sought.

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8. Generally, if the officer has probable cause to believe that a specific container contains contraband and no other exception to the warrant requirement exists, then the officer should obtain a search warrant before searching that container.

**322.7.1 VEHICLE INVENTORY AND OTHER INVENTORY SEARCHES**

An inventory search is the routine search performed upon property and persons taken into custody. It is justified not on the basis of probable cause, but on the basis that it is a reasonable administrative task, useful in safeguarding property, the police, and jail security.

(Policy 510.11 VEHICLE TOWING AND RELEASE) All property in a vehicle towed at the request of a department employee, and not on behalf of the person in charge of the vehicle, shall be inventoried and listed on the Tow Sheet. This includes the trunk and any obvious compartments or containers, even if they are closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practicable in preparing an itemized inventory. Conducting such an inventory shall only be for the intended purpose of protecting an owner's property while the owner is in police custody, to provide for the safety of officers and the public, and to protect the Department against fraudulent claims of lost, stolen or damaged property.

If the apparent potential for damage to a locked container reasonably appears to outweigh the protection of the items inside, other options to consider regarding locked containers include, but are not limited to:

- Obtaining access to the locked container from the owner.
- Placing the locked container into safekeeping.
- Obtaining a written waiver of responsibility for the contents of the locked container.

**322.8 EXIGENT CIRCUMSTANCES**

**Exigent Circumstances** – Circumstances that would cause a reasonable person to believe that entry (or other relevant prompt action) was necessary to prevent physical harm to the officers or other persons, the destruction of relevant evidence, the escape of the suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.

The United States Supreme Court has described the Exigent Circumstances Exception as follows:

A warrantless intrusion into a home may be justified by:

- a. Hot pursuit of a fleeing felon; or
- b. Imminent destruction of evidence; or
- c. The need to prevent a suspects escape; or
- d. The risk of danger to the police or to other persons inside or outside the dwelling.

“As a matter of constitutional principle, the emergency doctrine is not just another means to justify a warrantless search, but for entry onto private premises to respond to urgent need for aid or protection,

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promptly launched and promptly terminated when the exigency which legitimized the police presence ceases." *State v. Rogers*, 573 S.W.2d 710, 716 (Mo. App. W.D. 1978).

#### **322.9 INCIDENT TO LAWFUL ARREST**

Searches incident to a lawful arrest serve to:

- a. Protect officers from weapons;
- b. Prevent defendant from destroying evidence; and
- c. Prevent defendant from escaping by gaining access to weapons or other items.

Incident to a lawful arrest (upon probable cause or with arrest warrant) police may search the person and area within his/her immediate control without probable cause to believe he/she has evidence upon him/her.

- a. "*Chimel v. California*" states in part that a search incident to a lawful arrest in a home must be limited to the area into which an arrestee might reach in order to grab a weapon or other evidentiary items.
- b. Search incident to arrest of vehicles is covered in 322.7.b

#### **322.10 PLAIN VIEW**

- a. An object in plain view of an officer, who has the right to be at a location to have that view, can provide probable cause for a seizure.
- b. It is not a search to observe that which is in the open and visible in either daylight or artificial light.
- c. It is not a search when lawful entry has been made into a residence and a contraband article is exposed to view.
- d. It is not a search for an officer to peer through the window of a detained vehicle (provided the officer's head remains outside the vehicle).

#### **322.11 AT THE SCENE OF A CRIME**

A valid search warrant is necessary to search the scene of a crime unless the person who is legally in charge of the property is incapacitated or gives consent. Generally, search warrants will be obtained in most instances even if the person in charge is incapacitated or provides consent. In such instances, where consent is granted or person is incapacitated, a search may be conducted if circumstances exist that would make waiting for a search warrant unreasonable (some level of exigency).

#### **322.12 DOCUMENTATION**

Officers should document any search in a report. To ensure that such reports are sufficient, they should include, at minimum, documentation of the following:

- a. Reason for the search
- b. Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- c. What, if any, injuries or damage occurred

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- d. What, if any, steps taken to secure property
- e. The results of the search including a description of any property or contraband seized
- f. If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer.

**BIAS-FREE POLICING**

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**Approved By:** Geoffrey Jones Chief of Police

**CALEA 6<sup>th</sup> Edition Standard:** 1.2.9

**402 BIAS-FREE POLICING****402.1 PURPOSE AND SCOPE**

Biased policing undermines legitimate law enforcement efforts, alienates community members and fosters community distrust. The purpose of this policy is to reaffirm the Columbia Police Department's commitment to bias-free policing, clarify the circumstances in which personnel can consider race, ethnicity, national origin, gender, gender identity, sexual orientation, socioeconomic status, religion, disability, and/or age when carrying out duties, and establish appropriate controls to ensure that employees of the Columbia Police Department do not engage in biased policing.

**402.2 DEFINITIONS**

**Biased Policing:** The inappropriate consideration of specified characteristics in carrying out duties.

**Specified Characteristics:** Race, ethnicity, national origin, gender, gender identity, sexual orientation, socio-economic status, religion, disability, and/or age when making law enforcement decisions.

**402.3 POLICY**

The Columbia Police Department is committed to providing law enforcement services to the community with due regard to the racial, cultural or other differences of those we serve. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group.

**402.4 TRAINING (1.2.9 b)**

All affected employees will receive initial training during the orientation phase on fair and impartial/bias-free policing and racial profiling as well as annual training in bias issues including legal aspects. The training should address the psychology of bias and how bias can affect police activities and decision making during various contacts with individuals in our community. This training may be accomplished through in-service, on-line, or shift briefing activities.

**402.5 BIASED POLICING PROHIBITED (1.2.9 a)**

Biased policing is strictly prohibited. Agency personnel may not consider the specified characteristics except when credible, timely intelligence relevant to the locality links a person or people of a specified characteristic to a specific unlawful incident, or to specific unlawful incidents, criminal patterns or schemes. In those circumstances, personnel may rely on these specified characteristics only in combination with other appropriate factors.

Effective: 06/01/2014

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Revision Date: 08/30/2018

Revision Date: 03/19/2020

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### **BIAS-FREE POLICING**

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These restrictions on the use of specified characteristics do not apply to law enforcement activities designed to strengthen the department's relationship with its diverse communities.

It is considered biased policing if an officer's decisions/actions are based on the fact that the individual's demographics (e.g., race, income) are different from the demographics of the majority of residents in the area in which the individual is found.

Violations of this policy shall result in training, counseling, discipline or other remedial intervention as appropriate to the violation.

#### **402.6 MEMBER RESPONSIBILITY**

Every employee of this department shall perform his/her duties in a bias-free manner and is responsible for promptly reporting any known instances of biased policing to a supervisor. Also, where/when appropriate, employees are encouraged to intervene whenever they observe an incidence of biased policing.

##### **402.6.1 REASON FOR DETENTION**

Officers detaining any person shall be prepared to articulate sufficient reasonable suspicion to justify the detention independent of the specified characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview), the involved officer should include those facts giving rise to the officer's reasonable suspicion or probable cause for the detention as applicable.

Nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

##### **402.6.2 BUSINESS CARDS**

Officers shall provide a business card or suitable alternative upon request. The business card or alternative shall contain identifying information including, but not limited to, the officer's name, division, badge or other identification number and a telephone number.

##### **402.6.3 REPORTING TRAFFIC STOPS**

Each time an officer makes a traffic stop, the officer shall report information that includes (§ 590.650, RSMo): Items listed in **Red** below were added to the requirements for the 2020 reporting period. The Columbia Police Department received an exemption regarding the recording of the new information until such time as our electronic recording system through RMS could be updated to accommodate the changes. Once the system is updated, officers will be responsible for recording all of the following information to include the sections in red:

## BIAS-FREE POLICING

1. The date and time of the stop.
2. **Officer Assignment.**
3. The location of the stop.
4. The violation resulting in the stop.
5. **If an "Investigative" violation (stop), check category of violation.**
6. The driver's race/minority status (based only on observation).
7. The driver's age.
8. The driver's gender.
9. **Zip Code of driver's current residence.**
10. Is driver a resident of the law enforcement agency's jurisdiction?
11. Whether a search was initiated.
12. If yes, the probable cause/authority for the search.
13. What was searched?
14. Duration of the search.
15. Was contraband discovered?
16. **If contraband was discovered, type of contraband. Check all that apply.**
17. The result of the stop.
18. **If citation or warning issued, violation alleged.**
19. Was the driver arrested?
20. If an arrest was made, the crime/violation alleged.

In addition to the information reported under § 590.650, RSMo, the Columbia Police Department will record the following information regarding traffic stops:

1. Did the driver or a passenger admit to the use of a controlled substance?

### 402.7 SUPERVISOR RESPONSIBILITY

Supervisors shall ensure that all personnel in their command are familiar with the content of this policy and will be alert and respond to any incidents, complaints or allegations of biased policing.

1. On at least a monthly basis, supervisors will randomly review mobile audio video (MAV) recordings, and body worn camera (BWC) recordings (policy 447), to ensure compliance with this policy. Access to the MAV and BWC systems by supervisors and the viewing of an individual officer's video footage is documented by the respective system and can be audited by command staff to ensure periodic reviews are being completed. Recordings that capture biased policing or potential biased policing should be appropriately retained for administrative investigation purposes.
2. Supervisors who observe or become aware of potential biased policing by an employee that does not contain evidence/information to substantiate a complaint should make efforts to respond with early interventions. These efforts may come by way of an informal verbal warning/coaching/counseling. Any verbal warning/coaching/counseling shall be documented with the employee in a Performance Log entry in accordance with policy 1020.
3. Supervisors who observe or receive a formal complaint or allegation against an employee of biased policing/behavior shall initiate a complaint in accordance with policy 1020.

## BIAS-FREE POLICING

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4. Any supervisor, or other employee, who becomes aware of retaliatory actions, or plans for retaliation, against any member of this department who discloses information concerning biased policing, shall inform Internal Affairs personnel, or their supervisor to initiate a complaint.

### **402.8 ADMINISTRATIVE REVIEW (1.2.9 c)**

An annual administrative review of the department's practices, submitted annual state report, and any citizen concerns shall be conducted to determine whether any officer of this agency has a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the Columbia Police Department (§ 590.650, RSMo).

If the review reveals a pattern, an investigation will be conducted to determine whether any officer(s) is routinely stopping motorists for violations of vehicle laws as a pretext for investigating other violations of criminal law (§ 590.650, RSMo).

Any officer found to have engaged in race-based traffic stops shall receive appropriate counseling and training within ninety days of the review (§ 590.650, RSMo).

The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment (§ 590.650, RSMo).

The general results of the review will be made available to all employees. Supervisors shall review and discuss the results with the individuals they are assigned to supervise.



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## TRAFFIC ENFORCEMENT FUNCTION AND RESPONSIBILITY

**Approved By:** Geoffrey Jones Chief of Police

**CALEA 6<sup>th</sup> Edition Standard:** 1.2.6; 1.2.7; 61.1.2; 61.1.3; 61.1.4; 61.1.5; 61.1.6; 61.1.11

## 500 TRAFFIC ENFORCEMENT FUNCTION AND RESPONSIBILITY

### 500.1 PURPOSE AND SCOPE

The purpose of this written directive is to:

- A. Establish uniform procedures for taking enforcement action incidental to traffic law violations, to include: physical arrest, citation (notice to appear), and written warnings;
- B. Establish procedures for handling traffic law violations committed by nonresidents of our service area, juveniles, legislators, foreign diplomats/consular officials, and military personnel;
- C. Require, at the time a motorist is charged with a violation, that the officer provides information relative to the specific charge, to include: court appearance schedule, optional or mandatory nature of court appearance by the motorist, notice of whether a motorist is allowed to enter a plea and/or pay the fine by mail or at a traffic violations bureau, and other information that must be provided to the motorist upon release;
- D. Establish uniform enforcement policies for traffic law violations, to include: operation of a vehicle by a person under the influence of alcohol/drugs, operation of a vehicle by a person whose driving privileges have been suspended or revoked, moving violations, non-moving violations, public carrier/commercial vehicle violations, multiple violations, newly enacted laws and/or regulations, violations resulting in a traffic collision/crash, and pedestrian and bicycle violations;
- E. Govern traffic law enforcement practices to include: visible traffic patrol, whether area, line, or directed, and stationary observation, covert and overt; and
- F. Establish procedures for the identification and referral of drivers recommended for re-examination by licensing authorities.

### 500.2 DEFINITIONS

**Minor traffic violation/offense** - A municipal traffic ordinance violation or state traffic violation that does not involve a traffic crash or injury; that does not involve the operation of a commercial motor vehicle; and for which either no points are assessed by the Missouri Department of Revenue or for which the Department of Revenue is authorized to assess one to four points to a person's driving record upon conviction. Minor traffic violations shall exclude a violation for exceeding the speed limit by more than 19 miles per hour or a violation occurring within a construction zone or school zone.

### 500.3 POLICY

The goal of traffic law enforcement is to reduce traffic collisions and improve the safety and quality of life for everyone in our community. The Columbia Police Department will use enforcement practices, coupled with good judgment, and consideration for the circumstances and conditions at the time of a violation, to ensure appropriate action is taken. These actions should foster the public's trust in our Department's traffic

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enforcement practices while increasing voluntary compliance by motorists, bicyclists and pedestrians. Policies and procedures have been provided in this directive for achieving this goal.

#### **500.4 TRAFFIC ENFORCEMENT PROCEDURES**

The Columbia Police Department uses data collected within the Department's computer systems along with information gathered from employees, outside traffic sources, mobile radar trailers, and community members in making decisions regarding traffic enforcement activity.

All officers assigned to patrol or traffic enforcement functions (if available) will emphasize enforcement of traffic laws and address hazardous moving violations during those periods and at those locations where the incidence of collisions is increased. As a matter of routine, all officers will take directed enforcement action on request, and random enforcement action when appropriate, against violators (§ 300.075, RSMo). Other factors to be considered for deployment are citizen requests, construction zones, school zones, or special events.

Generally, the Department will not engage in covert traffic enforcement activities and generally will not conduct traffic enforcement in plain clothes and in unmarked vehicles. Officers should maintain high visibility while conducting proactive traffic enforcement activities, especially at high-collision incidence locations, in their areas.

Stationary observation and covert traffic operations may be necessary in areas identified through reviews of the above data. These operations should be approved by a Watch Commander or supervisor if a Watch Commander is not available. Officers conducting the actual traffic stops in these operations should be in marked police vehicles unless specific circumstances of the operation rely on the use of an unmarked vehicle or the stop is being conducted by a sworn officer in an unmarked vehicle equipped with emergency lights and siren. All officers making the actual traffic stop shall be in police uniform and identifiable as a police officer when making face to face contact with the driver.

Blanket saturations other than DWI saturations are not permitted. Any traffic stop conducted by a member of the Columbia Police Department, including those made during a targeted enforcement activity, will be based on articulable reasonable suspicion that a crime or traffic offense/infraction has been or is being committed.

All investigative stops, including those made during a saturation activity, will be based, at a minimum, on intelligence-based and articulable reasonable suspicion.

The Columbia Police Department does not establish ticket quotas. Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. Officers should, within good reason, take appropriate enforcement action for each traffic violation observed or reported to them.

During times of a pandemic disease outbreak or other circumstance where exposure between police and members of the public should be limited for health and safety concerns, the Chief of Police or designee may

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limit traffic stops to only those involving hazardous moving violations. An exception may be made when an officer has articulable facts that a person is a danger to the community. Under this condition, an officer may stop a person for reasonable suspicion other than a hazardous moving violation.

An attempt by an officer to enforce a traffic violation should not in itself cause a threat to the safety of others greater than the threat posed by the offending motorist.

Enforcement actions shall be delivered in a fair, impartial, and courteous manner. Options for enforcement actions include physical arrest, citation/notice to appear, and written warning.

Every traffic stop conducted by a CPD officer for a moving or non-moving violation, which does not result in an in-custody arrest, shall be concluded with a written warning or citation/notice to appear delivered to the operator.

The following are guidelines for these traffic enforcement options.

#### **500.4.1 PHYSICAL ARREST**

Although officers are authorized to use written warnings and citations in lieu of arrest to resolve minor traffic violations when appropriate (Policy 420 ARREST AND BOND POLICY/PROCEDURES), the following traffic violations should result in the physical arrest of the offender.

- A. Any felony traffic violation except DUS/DUR (unless chronic/habitual see 500.5.2.e).
- B. Driving while intoxicated (under certain circumstances, DWI Unit officers may make a physical arrest of an offender and conduct a complete municipal DWI or BAC ordinance violation investigation, while roadside, and release the offender from the scene on a citation/notice to appear without transporting the offender from the scene).
- C. Other misdemeanor traffic violations may result in the arrest of the offender (e.g., the person does not have adequate proof of identification to verify their identity to be issued a citation), with the exception of a minor misdemeanor traffic violation that was not committed in the officer's presence.

1. All methods available for identification should be used on scene prior to taking the individual into custody for fingerprints at CPD.

All decisions regarding physical arrests are based on probable cause and sound judgment. Any deviations from the above guidelines should be made with the approval of a shift supervisor. Barring a need for medical or psychological examination, physical arrest should include, at a minimum, transporting the offender to the Columbia Police Department or Boone County Jail for collection of fingerprints and booking photographs. Under certain circumstances, DWI Unit officers may make a physical arrest of an offender and conduct a complete municipal DWI or BAC ordinance violation investigation, while roadside, and release the offender from the scene on a citation/notice to appear without transporting the offender from the scene.

Guidelines for bond or signature release are contained in Policy 420 ARREST AND BOND POLICY/PROCEDURES.

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#### **500.4.2 TRAFFIC CITATION/NOTICE TO APPEAR**

Generally, officers should use a traffic citation/notice to appear in lieu of taking a person into custody for minor traffic offenses, unless the subject poses a danger to the community, themselves, is unlikely to appear in court, or cannot produce adequate proof of identification to be released on a citation.

Generally, officers issue citations in reference to violations they witness or are related to a traffic crash. Officers may issue a citation to a violator in response to a traffic complaint in which the officers did not observe. To do so, the complainant must be able to provide identifying information and a description for the driver and vehicle and must be willing to appear in court as a witness. In cases where a description of the driver is not available or the complainant is not willing to go to court, the officer should send a Careless and Imprudent (C & I) Notification Letter (located in PowerDMS) to the registered owner of the vehicle as a warning that their vehicle was observed in violation of traffic laws. If a C & I letter is completed, the officer should complete a CAD entry documenting the source of the complaint and all pertinent information.

#### **500.4.3 TRAFFIC CITATION SERVICE PROCEDURE**

At the time a motorist is issued a citation for a traffic offense, the citation will include:

- A. The date, time, and location of the scheduled court appearance.
- B. The date, time, and location of the alleged traffic offense.
- C. Information regarding the alleged offense.
- D. Accurate and updated information for the offender to include residence, employer, and telephone numbers or email address.
- E. Offender's vehicle information.
- F. The officer's name and badge number or other identifying number.
- G. The phone number of the respective court.

In addition, it is essential that the officer fully explain the rights and requirements imposed on motorists upon arrest or issuance of a citation for a traffic violation. The officer should notify the offender if a court appearance is mandatory or optional. If the offender is allowed to enter a plea and/or pay the fine out of court, the officer should provide the offender with an informational envelope supplied by the court.

#### **500.4.4 WRITTEN WARNINGS AND STOPS WITHOUT CITATION OR ARREST**

Written warnings should be considered in minor traffic offenses and substituted for arrests or citations when circumstances warrant.

#### **500.5 SPECIFIC TRAFFIC OFFENSE GUIDELINES**

Uniform enforcement of traffic law violations supports the ultimate goal to achieve voluntary compliance with traffic laws and regulations thus reducing the number of collisions and improving roadway safety. The following guidelines for specific offenses should not supplant the judgment and discretion of police officers as it is impossible to foresee every conceivable situation involving traffic violations. In many circumstances,

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officers must decide what enforcement, if any, is appropriate on the basis of a combination of training, experience, and the facts available to the officer at the time of the offense.

#### 500.5.1 DRIVING WHILE INTOXICATED

The Columbia Police Department is committed to the safety of our roadways and the community and will pursue fair but aggressive enforcement of Missouri's impaired driving laws. Generally, officers should arrest a driver found to be in violation of these laws. Combined factors such as observed driving performance, involvement in a crash, performance on standardized field sobriety tests, and observations of a driver's demeanor are considered and will usually determine the decision to arrest.

Patrol officers and officers assigned to the DWI unit are trained and familiar with DWI detection, administration of standardized field sobriety tests, and the operation of the breath test instrument currently used by our Department. Impaired driving investigations, arrests, and reports can be complex and may require specialized collection of certain evidence or the assistance of specially trained officers such as a Drug Recognition Expert.

Complete guidelines and procedures specific to impaired driving investigations, arrests, and evidence collection are located in Policy 514 IMPAIRED DRIVING AND EVIDENCE COLLECTION.

#### 500.5.2 NO-DRIVING PRIVILEGES OFFENSE HANDLING PROCEDURES

During traffic stops or crash investigations, officers frequently encounter drivers who are unable to produce a valid driver's license. This could be due to various actions not only of the driver, but also of the court, and or governmental agencies responsible for licensing. In addition to the other duties performed during the contact with a driver, the following procedures should be used when handling these situations.

- A. Check the driver through the Missouri Uniform Law Enforcement System (MULES), and the National Crime Information Center (NCIC), by name and date of birth or by driver's license number, for current status of driving privileges.
- B. If the driver has a valid license, then the officer's actions should be dictated by the initial violation or reason for contact.
- C. If the driver does not have a valid driver's license through MULES, the officer should determine if the driver was ever issued a license through this state or another state of residency.
- D. If it is determined that no license was ever issued, the officer should cite the driver for "no operator's license." The driver should be released at the scene on a signature promise to appear unless circumstances exist that would mandate a physical arrest (e.g., other charges requiring arrest, danger to themselves or others, history of failure to appear in court, unable to verify identity).
- E. If the driver was issued a license from this state or their state of residence, and their driving privileges have been suspended or revoked, the officer should cite the driver for "driving while suspended or revoked." The driver should be released at the scene on a promise to appear unless circumstances exist that would mandate a physical arrest (listed above). Extreme circumstances may exist such as a chronic or habitual offender of DUS/DUR where a custodial arrest would be

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reasonable. In arrest situations, release of the subject should follow the guidelines in Policy 420 ARREST AND BOND POLICY/PROCEDURES.

- F. In either situation, the driver should not be allowed to drive away from the location of the traffic stop, and arrangements should be made to have another licensed driver remove the vehicle.
- G. If the driver is taken into custody, the vehicle need not be towed if legally parked and no other need exists to tow the vehicle. Officers should follow guidelines provided in Policy 510 VEHICLE TOWING AND RELEASE.

#### 500.5.3 SPEED VIOLATIONS

Columbia Police Officers who have been trained in the use of speed measuring devices may use these tools to conduct speed enforcement within our jurisdiction. The use of speed measuring devices is encouraged in areas with a high occurrence of traffic crashes where speed is a factor, in areas where speed violations are prevalent, and in response to citizen complaints.

Consideration should be given to weather conditions, traffic volume, pedestrian traffic, and location. Officers should remember there is a direct correlation between excessive speed and traffic crashes. Officers are entrusted to use discretion in deciding whether a written warning or citation is appropriate.

The following guidelines pertain to the use of speed measuring devices as used for traffic enforcement (does not include certified calibrated speedometers in patrol vehicles).

- A. Only officers trained in the use of particular speed measuring devices may use them for enforcement purposes.
- B. Officers must verify the accuracy of the radar device at the beginning and end of each shift using a tuning fork manufactured for use with the instrument.
- C. The frequency of each tuning fork should be verified at least annually to ensure the frequency is within the specified range. Verification should be completed using methods described in training. Each verification should be maintained in a log which is kept by the officer.
- D. Officers using a laser device shall check the accuracy of the equipment according to the manufacturer recommendations prior to taking enforcement action and again at the end of their shift.
- E. Pacing may be used as a means of estimating a vehicle's speed.

#### 500.5.4 OTHER MOVING VIOLATIONS

In addition to DWI and speed violations, there are many other traffic offenses that are considered moving violations. The following are examples of common moving violations.

- A. Following too close.
- B. Running a red light or stop sign.
- C. Failure to yield.
- D. Failure to maintain a single lane of traffic.



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This is not an all-inclusive list. As with other violations, the goal of enforcement is to gain voluntary compliance with the traffic laws to improve the safety of our roadways and community. Consideration should be given to weather conditions, traffic volume, pedestrian traffic, location, and driver's prior driving history. Officers are entrusted to use discretion, based on the above factors, in deciding if a written warning or citation is issued for all moving violations that do not involve a crash.

#### **500.5.5 NON-MOVING AND/OR EQUIPMENT VIOLATIONS**

The following are common examples of non-moving violations.

- A. Improper registration.
- B. Expired registration/license plates.
- C. No registration/license plates.
- D. No tail lights.
- E. Improper exhaust or muffler.
- F. Derelict auto/abandoned vehicle on public right of way.
- G. Improper parking.
- H. Handicap parking.
- I. Failure to use seat belt.
- J. Operating a vehicle with inoperable license plate lamps.
- K. Defective windshield/vision obscuring material.

This list is not all inclusive. Non-moving and/or equipment violations (with the exception of seat belt violations) may be resolved by a written warning. Discretion should be used by the officer keeping in mind that subsequent and/or repeated violations may warrant a citation.

#### **500.5.6 PUBLIC CARRIER/COMMERCIAL VEHICLE VIOLATIONS**

Commercial/public carriers are treated the same as the general motoring public. Uniform traffic enforcement policies and procedures delineated in this directive are applicable to the commercial/public carrier.

#### **500.5.7 POLICY FOR MULTIPLE VIOLATIONS**

When multiple traffic violations are observed, the officer should consider each violation and its relationship to the others before deciding on enforcement action. If the officer decides to issue a citation(s), the following guidelines should be followed.

- A. For equipment violations, generally, one citation should be issued unless a specific violation warrants a separate citation.
- B. For moving violations, one citation may be issued for each violation if the violations are not inclusive of one another and each violation is serious enough to warrant a separate action. Generally, in such situations one citation is issued for the most serious violation. If several violations occur within a

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short period of time, one citation for careless and imprudent driving may be issued listing the multiple violations.

- C. Citations for secondary violations (seat belts, distracted driving) may be issued to drivers who are stopped for a primary offense.

#### **500.5.8 POLICY FOR VIOLATIONS RESULTING IN A TRAFFIC CRASH**

Generally, the Columbia Police Department does not take reports on traffic crashes that do not result in an observed or reported injury, a vehicle that is damaged to the point it requires a tow vehicle to be removed from the scene, extensive property damage other than vehicles, or involve a government-owned vehicle (Policy 502 TRAFFIC CRASH RESPONSE AND REPORTING).

If the circumstances of a crash are such that require a crash report and investigation, the officer investigating should issue citations for violations contributing to the crash or any other violations, moving or non-moving, which are appropriate.

#### **500.6 PEDESTRIAN AND BICYCLE VIOLATIONS ENFORCEMENT**

In order to ensure the safe flow of pedestrian and bicycle traffic, it is important to enforce the laws pertaining to both. Officers should take appropriate enforcement action when and where pedestrian or bicycle violations are observed. Enforcement actions should be commensurate with pedestrian and bicycle crash rates with emphasis on times and locations as determined through analysis of crash reports.

##### **500.6.1 PEDESTRIAN ENFORCEMENT PROCEDURES**

Enforcement of traffic laws pertaining to pedestrians necessitates broad discretion by the officer. To provide guidance in exercising this discretion, the following procedures are established which should result in a more uniform, and consistent, application of the law.

- A. Officers will concentrate their enforcement efforts on pedestrian violations in those areas where pedestrian crashes with vehicles have been frequent.
- B. Prior to any substantial increase in enforcement efforts directed towards pedestrian traffic, the CPD will conduct reasonable publicity and community awareness campaigns.

##### **500.6.2 BICYCLE ENFORCEMENT PROCEDURES**

The use of bicycles as a means of transportation in the City of Columbia results in an increased potential for vehicle v. bicycle crashes. The role of the police includes the enforcement of laws relating to the safe operation of bicycles. Like pedestrian violations, officers of this Department are allowed discretion regarding the enforcement of these laws. To provide guidance in exercising this discretion, the following procedures are established which should result in a more uniform, and consistent, application of the law.



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- A. In areas with a substantial flow of bicycle, pedestrian and vehicular traffic, and where there are hazardous moving violations involving persons operating bicycles, the applicable traffic laws and municipal ordinances should be enforced.
- B. In those areas where traffic flow is minimal, visibility is unobstructed, and bicycle crash incidents are low, officers should exercise discretion in the enforcement of laws regarding the safe operation of bicycles.
- C. When possible, officers who encounter juvenile offenders should be more lenient in enforcement and more instructive in their response, as juveniles may not be fully aware of their responsibility in the safe operation of bicycles.

#### **500.7 POLICY FOR NEWLY ENACTED TRAFFIC LAWS**

Absent any directives to the contrary or other extenuating circumstances, it will be the policy of this Department to issue a written warning for violations of a newly enacted or amended traffic law for a 30-day time period following the effective date.

#### **500.8 SPECIAL/UNIQUE VIOLATOR PROCEDURES**

The following are procedures for handling situations involving special or unique violators which, by legislative mandate, require a law enforcement response that differs from the response under normal circumstances.

##### **500.8.1 NON-RESIDENT TRAFFIC VIOLATORS**

If an officer issues a traffic citation for a minor misdemeanor traffic violation, and the violator does not live within the jurisdiction of the Boone County Circuit Court or Columbia Municipal Court, the officer may do one of the following.

- A. If the driver does not have a valid Missouri Driver's License, the officer will release the violator on a signature summons unless the officer reasonably believes:
  - 1. The violator will not appear for their assigned court date /time; and/or
  - 2. Does not feel they can adequately identify the person for issuance of a citation.
- B. If the driver is taken into custody, officers should follow guidelines established in Policy 420 ARREST AND BOND PROCEDURES for determining if a bond will be set and, if so, the appropriate amount.
- C. Residents of states belonging to the Non-Resident Violator's Compact are issued a citation and, contingent of signing the citation, released. If the violator indicates by refusal to sign the citation or other means that he/she will not appear in court or otherwise take care of the citation, they may be taken into custody and released according to guidelines in Policy 420 ARREST AND BOND PROCEDURES.

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**500.8.2 MILITARY PERSONNEL**

Military personnel are handled the same as any other person. Special consideration should be given if enforcement action would disrupt on-going military operations. In such an instance, depending on the circumstances and specific violation, the officer may decide to contact the driver at a later time or decide not to pursue enforcement action.

**500.8.3 FOREIGN DIPLOMATS/CONSULAR OFFICIALS**

See Policy 422 DIPLOMATIC AND CONSULAR CONTACTS for guidelines and procedures in handling foreign nationals, diplomats and consular employees and the various levels of immunity.

**500.8.4 UNITED STATES CONGRESSMEN/STATE LEGISLATORS**

- A. **Members of the United States Congress** are, in all cases except treason, breach of the peace, or a felony, exempt from arrest during their attendance at the session of their respective Houses, and in going to, and returning from, the same, or for any speech, or debate, in either House. They are not questioned in any other place.
- B. **Members of State Legislatures**, in some cases, have the same immunity granted to members of Congress. The common law prevails, which privileges them from arrest while attending, going to or returning from a session of their respective Houses.

When persons privileged from arrest are stopped for a traffic violation, the officer, upon being advised by the driver of their status, and confirming they possess the proper credentials, should exercise discretion based on the nature of the violation. The officer may issue a written warning of the danger of their actions, or issue a citation. Issuance of a traffic citation does not constitute arrest, or detention, in the sense referred to above. When a person privileged from arrest is found to be intoxicated, or without driving privileges, the officer's primary responsibility is to care for the safety of the individual, and the public. Based upon a determination of the circumstances, the following options are available:

- A. Take him or her to the Police Department to complete applicable paperwork and arrange for their immediate release to a responsible party.
- B. Allow him or her to call a friend or relative to come for them.
- C. Take him or her home, or to their destination, if it is within the jurisdiction of the Columbia Police Department.

The individual should not be handcuffed, unless there is a safety concern for the individual or officer, or subjected to standardized sobriety tests. The individual should be treated with respect and courtesy.

**500.8.5 JUVENILE TRAFFIC VIOLATORS**

Generally, juveniles fifteen (15) and older who have committed a misdemeanor traffic violation are not taken into custody and are issued a traffic citation.

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If a juvenile is taken into custody, the officer should notify the juvenile authorities as soon as possible and follow the guidelines set forth in Policy 324 TEMPORARY CUSTODY OF JUVENILES.

### **500.9 RE-EXAMINATION OF DRIVERS**

Routine enforcement practices and crash investigations sometimes lead to the discovery of incompetent drivers. Physical or mental disability, disease or other conditions may prevent a person from exercising reasonable and ordinary care while operating a motor vehicle. The following are procedures for initiating the re-examination process.

- A. Officers who encounter such a person should complete the Missouri Department of Revenue DRIVER CONDITION REPORT form 4319 which can be located in PowerDMS or on the Missouri Department of Revenue website.
- B. Submit the completed form with supporting documents or related reports to your supervisor for approval.
- C. Once approved, send the form to the Missouri Department of Revenue.

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**Approved By:** Kenneth Burton Chief of Police

**CALEA 6<sup>th</sup> Edition Standard:** 1.2.9; 61.1.7

## 506 TRAFFIC STOPS/APPROACHES AND VIOLATOR CONTACTS

### 506.1 PURPOSE

The purpose of this policy is to provide guidance and procedures for officers conducting unknown risk and high risk traffic stops of motorists to include:

- Procedures for making effective stops that are safe for the officer and motorist;
- Approach procedures;
- Making contact with the offending motorist; And
- The responsibilities of the officer making the stop.

### 506.2 POLICY

Officers of the Columbia Police Department will, as part of their daily operations, make contact with motorists due to a variety of circumstances to include traffic law enforcement, investigative stops, and suspicious activity calls among others. In doing so, officers will follow these general guidelines and procedures when conducting these activities and do so in as courteous and professional manner possible, as dictated by the situation, while considering the safety of the public, officer, and motorist. All traffic/motorist stops shall be considered either an unknown risk stop, due to the potential danger of all stops, or a high risk stop due to a clear and articulable risk to the officer's safety.

The Columbia Police Department prohibits the practice of routinely stopping motorists, based solely on their status as a member of a minority group, for violations of vehicle laws as a pretext for investigating other violations of criminal law (§ 590.650, RSMo) (additional information provided in policy 402 BIASS-FREE POLICING).

### 506.3 DEFINITIONS

**Unknown risk stop:** All traffic stops should be considered "unknown risk" unless the traffic stop is a felony "high risk" stop.

**High risk stop:** Any stop which possesses a significant risk to the officer when dealing with the occupants of a motor vehicle. These situations typically involve known or suspected felons, an armed individual(s), or any potentially dangerous person.

### 506.4 UNKNOWN RISK STOP PROCEDURE

All traffic stops have unique circumstances and are fluid events. Officers need to be able to adapt to changing conditions and circumstances. The following are general procedures for conducting unknown risk traffic stops.

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#### **506.4.1 INITIAL STOP (UNKNOWN RISK)**

1. When possible activate body worn camera and vehicle camera as soon as the potential for a vehicle stop is recognized.
2. Prior to initiating the stop, when possible, check the vehicle registration for any wants or warrants.
3. Pre-plan the stop location, when possible, and choose a location based on the safety of the public, officer, motorist, and the potential cover options should it become necessary. Avoid Hill crests, curves, and intersections.
4. Notify Boone County Joint communications by radio of the vehicle registration, stop location and number of occupants if multiple. If registration information is not visible, provide a vehicle description and other identifiers.
5. Activate emergency lights and initiate the vehicle stop. Use horn and or siren if needed to get the drivers attention. Use available light sources on patrol vehicle to illuminate the inside of the stopped vehicle.
6. Stop the patrol vehicle approximately fifteen (15) feet behind the stopped vehicle. Position the patrol vehicle approximately 3 feet into the traffic lane or in such a manner to maximize cover. Leave the engine running and vehicle unlocked taking into consideration the presence of other people in the immediate area.
7. Be observant of the actions and movements of the vehicle occupants.
8. Request backup as necessary based on the conditions of the stop.

#### **506.4.2 APPROACH AND CONTACT (UNKNOWN RISK)**

1. Consider weapon readiness on every stop and maintain tactical advantage. Be thinking of potential escape routes and positions of cover.
2. If the driver exits the vehicle without being instructed to do so, a decision needs to be made, based on the circumstances and the person's demeanor, whether to order the driver back into the vehicle or order the driver to stop all movement. Consideration should be given to the position and location of the driver's hands and the potential for a weapon located on the driver or inside the drivers vehicle. The officer should be prepared to take evasive action should the driver continue to advance.
3. When approaching the vehicle, stay as close to the vehicle as possible, observe the occupants, check that the vehicle trunk is latched, and scan the interior of the vehicle for weapons, contraband, hidden passengers, or other dangers.
4. During times of darkness, avoid passing between the lights of the patrol vehicle and the violator's vehicle.
5. Make contact with the driver, introduce yourself and the agency you work for, and provide the reason for the stop. Keep a constant view of the driver's hands and the interior of the vehicle. Avoid using your gun hand to receive items such as license, registration and proof of insurance from the driver. Gather the necessary information to conduct the business of the contact.

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6. While being mindful of the violator, other occupants, traffic, and your surroundings, from a position that is most tactically sound, conduct necessary checks for driving status, outstanding warrants, and complete citation if applicable.
7. Return to the vehicle, again maintaining tactical awareness, and issue citation, warning, conduct search etc. as dictated by the situation.
8. Complete the stop, provide traffic stop information and return to service. If applicable, allow the stopped vehicle to re-enter traffic first and if necessary assist them in safely doing so (e.g. directing traffic, pulling out with lights activated to stop oncoming traffic to allow them to enter safely).

#### **506.5 HIGH RISK TRAFFIC STOP PROCEDURE**

All traffic stops have unique circumstances and are fluid events. Officers need to be able to adapt to changing conditions and circumstances. The following are general procedures for conducting high risk traffic stops.

##### **506.5.1 INITIAL STOP (HIGH RISK)**

1. When possible activate body worn camera and vehicle camera as soon as the potential for a vehicle stop is recognized.
2. Notify Boone County Joint communications by radio of the vehicle registration, and communicate your intentions to conduct a high risk/felony traffic stop and supporting information for the stop. Provide location, direction of travel and request back-up units. Provide Boone County Joint communications with additional information as appropriate such as number of occupants if multiple. If registration information is not visible, provide a vehicle description and other identifiers.
3. If possible, do not initiate the stop of the vehicle until your back-up officers are positioned behind you. Plan the stop location, when possible, and choose a location based on the safety of the public, officer, motorist, and the potential cover options should it become necessary. Avoid Hill crests, curves, and intersections.
4. Activate emergency lights and initiate the vehicle stop. Use horn and or siren if needed to get the drivers attention. Position the patrol vehicle in such a manner as to be tactically safe and assume the role of contact officer.
5. Back-up units should position vehicles according to training, and circumstances at hand which allow them to perform in the role of a cover officers for the contact officer.
6. All patrol vehicles involved should use available light sources to illuminate the inside of the stopped vehicle.
7. Once the stop has been made, notify Boone County Joint Communications of the exact location of the stop and ask to have a channel restricted until the scene is stable and the safety threat no longer exists.
8. All officers involved shall use available and effective cover when possible.

# COLUMBIA POLICE DEPARTMENT

## Policy and Procedure Manual

### TRAFFIC STOPS/APPROACHES AND VIOLATOR CONTACTS

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#### 506.5.2 INITIAL INSTRUCTIONS TO OCCUPANTS (HIGH RISK)

The officer conducting the stop should use the patrol vehicles public address system to communicate with the occupants of the stopped vehicle. Directions should be announced clearly and concisely. Each situation will be unique and officers should adjust as circumstances dictate. The following are general procedures and EXAMPLES of language to be used for announcing directions to the driver and passengers of a vehicle in a high risk stop (specific language may vary due to circumstances and officer preference):

1. "Driver, roll down all windows and then turn off the engine and remove the keys"
2. "Driver, with your right hand, reach out the window and drop the keys on the ground"
3. "Driver and all passengers in the front of the vehicle, raise your hands and touch the windshield and do not move until told to do so"
4. "Rear seat passengers, place your hands on the back of the front seat head rest and do not move until told to do so"

#### 506.5.3 REMOVAL AND CONTROL OF OCCUPANTS (HIGH RISK)

In order to reduce risk to officers, occupants should be removed from the vehicle one at a time and secured. The contact officer should coordinate with cover officers and assignments should be given for taking subjects into custody prior to removing occupants. When ready to remove the occupants of the vehicle, the contact officer should announce the directions clearly and concisely. Again, each situation will be unique and officers should adjust as circumstances dictate. The following is an EXAMPLE of the instructions that may be given to remove occupants and clear a vehicle (specific language may vary due to circumstances and officer preference):

1. "Driver, reach your right hand out of the window and open the door from the outside"
2. "Step out of the vehicle, face away from me, and place your hands on the back of your head"
3. "with your right hand, lift the bottom of your shirt as high as possible exposing your waistline"
4. "At my direction, turn slowly in a circle until I tell you to stop" when the driver has completed a full 360 degree circle, have them stop while again facing away from you. Take your time and make sure you are confident in the visual inspection of the driver's waistline. Any visible weapons should be called out by officers.
5. "Place your right hand back on your head, lace your fingers together, and walk backwards towards my voice until I tell you to stop" (have the driver move left or right as necessary)
6. When positioned correctly, instruct the subject to go to a kneeling position and keep hands on head or prone position and place arms and hands out away from the body, palms up and cross their ankles.
7. Instruct the subject to turn head away from cover officer. Cover officer should assume giving commands and handcuff the subject. Search the subject for weapons and secure in a patrol vehicle.
8. Repeat the process for other occupants until no more responses are received.
9. Contact and cover officers should then approach and clear the vehicle to include the trunk area. Maximize officer safety and be mindful to avoid cross fire situations.



# COLUMBIA POLICE DEPARTMENT

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### TRAFFIC STOPS/APPROACHES AND VIOLATOR CONTACTS

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10. After the vehicle is confirmed clear, the driver and occupants shall be dealt with in a professional manner.

#### **506.6 OFFICER AND VIOLATOR RELATIONS**

Traffic law enforcement is a common duty performed by patrol officers, but for the average motorist is frequently an emotional experience. Officers should keep this in mind and strive to make every contact educational, thereby leaving the violator with the impression that the officer has performed a necessary task, in a professional and courteous manner.

Traffic stops have three objectives which the officer seeks to achieve. The first objective is to take appropriate enforcement action; the second is to favorably alter the violator's future driving behavior; the third is to educate the driver about traffic law, including any changes, and safe driving behavior. This requires an understanding of human relations and flexibility of the officer. The following procedures are recommended to minimize conflict between the officer and violator and assist in achieving both objectives.

Once the officer has stopped the violator, the officer and violator relations have begun. The officer should:

1. Be alert for the unexpected, but not obviously apprehensive;
2. Be certain that the observations of the violation were accurate and without reservation;
3. Present a professional image in dress, grooming, language, bearing and emotional stability;
4. Be prepared by having the necessary forms immediately available;
5. Decide on the appropriate enforcement action based upon the violation, not the attitude of the violator;
6. Greet the violator with the appropriate title and in a courteous manner;
7. Inform the violator of the traffic law he/she has violated;
8. Ask for and accept the violator's driver's license, registration and proof of insurance information;
9. Ask for another form of identification if the driver has no driver's license on his/her person;
10. Allow the driver to reasonably discuss the violation;
11. Should the violator refuse to follow lawful instructions or refuse to provide basic identifying information, the officer should, if circumstances allow, request another unit to assist and request a supervisor. Decisions made in these situations should be based on a totality of articulable circumstances;
12. Complete the forms required for the enforcement action taken or issue a verbal warning;
13. Explain exactly what he/she is supposed to do in response to the action taken;
14. Explain when and where to appear if the enforcement action requires a court appearance, explaining any alternatives, but avoiding predicting the actions of the court;
15. Refer any questions regarding the court appearance to the appropriate prosecuting attorney;
16. Should the violator refuse to sign a uniform traffic citation, and a high likelihood exists that the situation will escalate to using physical force, the officer may elect to release the violator without obtaining his/her signature as long as the violator has been positively identified. Decisions regarding



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these situations will be made on a case by case basis depending on the totality of articulable circumstances in each case. In such cases, the officer shall do the following:

- a. Write refused on the bottom of the citation where the violator would have signed;
  - b. Provide the violator with a copy of the citation and explain that the lack of a signature does not remove him/her (violator) from their obligation to appear in court;
  - c. Tag and properly categorize his/her body worn camera footage and MAV footage for retention;
  - d. Document the refusal by the violator as appropriate.
17. Be alert for any signs of emotional stress exhibited by the driver. Depending on the circumstances, information may need to be repeated and the driver returned to a more calm demeanor before resuming driving;
18. Return the violator's driver's license and other information;
19. Assist the violator in safely re-entering traffic.

**Title XXXVIII CRIMES AND PUNISHMENT; PEACE OFFICERS AND PUBLIC DEFENDERS**

**Chapter 590**



**590.650. Racial profiling – minority group defined – reporting requirements – annual report – review of findings – failure to comply – funds for audio-visual equipment – sobriety check points exempt.**

– 1. As used in this section "**minority group**" means individuals of African, Hispanic, Native American or Asian descent.

2. Each time a peace officer stops a driver of a motor vehicle, that officer shall report the following information to the law enforcement agency that employs the officer:

(1) The age, gender and race or minority group of the individual stopped;

(2) The reasons for the stop;

(3) Whether a search was conducted as a result of the stop;

(4) If a search was conducted, whether the individual consented to the search, the probable cause for the search, whether the person was searched, whether the person's property was searched, and the duration of the search;

(5) Whether any contraband was discovered in the course of the search and the type of any contraband discovered;

(6) Whether any warning or citation was issued as a result of the stop;

(7) If a warning or citation was issued, the violation charged or warning provided;

(8) Whether an arrest was made as a result of either the stop or the search;

(9) If an arrest was made, the crime charged; and

(10) The location of the stop.

Such information may be reported using a format determined by the department of public safety which uses existing citation and report forms.

3. (1) Each law enforcement agency shall compile the data described in subsection 2 of this section for the calendar year into a report to the attorney general.

(2) Each law enforcement agency shall submit the report to the attorney general no later than March first of the following calendar year.

(3) The attorney general shall determine the format that all law enforcement agencies shall use to submit the report.

4. (1) The attorney general shall analyze the annual reports of law enforcement agencies required by this section and submit a report of the findings to the governor, the general assembly and each law enforcement agency no later than June first of each year.

(2) The report of the attorney general shall include at least the following information for each agency:

(a) The total number of vehicles stopped by peace officers during the previous calendar year;

(b) The number and percentage of stopped motor vehicles that were driven by members of each particular minority group;

(c) A comparison of the percentage of stopped motor vehicles driven by each minority group and the percentage of the state's population that each minority group comprises; and

(d) A compilation of the information reported by law enforcement agencies pursuant to subsection 2 of this section.

5. Each law enforcement agency shall adopt a policy on race-based traffic stops that:

(1) Prohibits the practice of routinely stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law;

(2) Provides for periodic reviews by the law enforcement agency of the annual report of the attorney general required by subsection 4 of this section that:

(a) Determine whether any peace officers of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency; and

(b) If the review reveals a pattern, require an investigation to determine whether any peace officers of the law enforcement agency routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law; and

(3) Provides for appropriate counseling and training of any peace officer found to have engaged in race-based traffic stops within ninety days of the review.

The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

6. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency.

7. Each law enforcement agency in this state may utilize federal funds from community-oriented policing services grants or any other federal sources to equip each vehicle used for traffic stops with a video camera and voice-activated microphone.

8. A peace officer who stops a driver of a motor vehicle pursuant to a lawfully conducted sobriety check point or road block shall be exempt from the reporting requirements of subsection 2 of this section.

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(L. 2000 S.B. 1053, A.L. 2001 H.B. 80, A.L. 2004 S.B. 1233, et al.)

## **Columbia Policing Expectations**

01-03-22

### **Purpose:**

The City of Columbia through public engagement and Council input issued a resolution in support of Community Policing. At the heart of the many definitions of “community policing” is the concept of police-community partnerships in solving quality of life problems. These problems range from criminal activity to lack of resources. We as an organization have to embrace the simple and undeniable truth that we are here to serve the public in both the community caretaking and law enforcement roles. As municipal police officers, we will embrace the concept that we are here to solve problems. I expect every employee of the Columbia Police Department to consider the problem they are trying to solve that meets the need of the citizens they serve. When developing a strategy to address issues in their areas, police officers are expected to consider the direct and indirect outcomes associated with their decisions. Discretion is a tool that will be used to weigh the needs of the area we police against our actions when conducting traffic stops, arrests, service referrals and delivery. No problem is too trivial; if it affects the peace and safety of a neighborhood you serve, then it is a problem worth addressing.

The general order that limits traffic enforcement will be lifted in the near future. We have arranged for and trained officers to gather more information for each stop. This information will be shared with the public and will be used as an assessment tool. Each of you are given a great deal of authority that is governed, in part, by your discretion. While formulating your approach to problems in your area, I expect you to consider the direct and indirect consequences of the enforcement choices you make. Additionally, I expect you to responsibly enforce the law. Command Staff will monitor the data related to traffic stops and will communicate their observations.

Most officers show support for the Columbia Policing model. Most officers work to meet the expectations of those they serve, while recognizing an overarching long-term purpose for this work. This document serves as affirmation to most and a reminder to some, that our work is valuable, impactful, and serves the needs of the community.

We can manage our relationships with the public by simply communicating better. The waiting calls will sometimes have to wait but I expect you to handle each call efficiently and thoroughly. Handle every call the way you would want them handled for you if you were in the same position as the caller. If you are unable to handle the call quickly, place a short call (or request someone to call on your behalf) to let them know you are delayed. Be considerate. Handle your beat.

The Community Outreach Unit was intended to be a seed project. Columbia Policing will require officers to stay in their beats (now 16 instead of 8), form relationships outside of enforcement contacts, problem solve, and take responsible enforcement actions to address the problems in their area. You are expected to conduct sound (intelligence based) investigations, apply for search warrants, and arrest people who need to be arrested. Handle your beat. Get involved in your neighborhoods by developing professional relationships with residents, business owners, and visitors in your beat.

The City Strategic Plan and the Goals and Objectives of the Department are closely aligned. You are expected to familiarize yourself with the communications presented to you as they relate to our future plans, goals and objectives. Supervisors will be trained and able to answer questions pertaining to our plans. Get involved. If you have suggestions and ideas, present them. We are better when we consider options.

You are expected to bring concerns to your supervisor. If you have concerns about something occurring in the organization, you have a responsibility and are expected to report it to your supervisor. Complaining and disparaging others is not constructive; progress can be accomplished by professional, constructive conversations. Staff meetings are still open and can be used to ask questions and get answers.

Command Staff will support the efforts of community policing. Movement of personnel and resources will help to keep officers in their beats. Officers will be addressed if they are not handling their beats. Command Staff will present data in an effort for you to see what your activity levels are as they relate to others. Use the data presented to you as a self-assessment tool.

Command Staff will be on uniformed patrol at least four hours per month in an effort to identify operational issues that have not been identified by other means. Efforts will continue to connect employees to organizations and neighborhood leaders within their beats.

**Sign and Date:**

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Employee

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Supervisor

# Columbia Police Department Vision, Values & Goals

## Mission

The mission of the Columbia Police Department is to protect and serve by partnering with the community to solve problems and responsibly enforce the law.

## Vision

A safe and successful community served by an innovative team of trusted professionals dedicated to providing excellent service and engaging our community as a valued partner.

## Values

Character — Professionalism — Dedication

## Goals

- Build upon our effective law enforcement tradition.
- Establish partnerships to achieve a safer community.
- Use innovative technology to maximize our performance.
- Provide a rewarding work environment and invest in personnel development.
- Communicate effectively, both internally and externally.
- Apply intelligence-led policing to deploy resources and assess effectiveness.
- Promote accountability through geographic-based policing.
- Effectively and efficiently use our available resources.



Revisor of Missouri



Words ▾ 1st search term or section nr And ▾ 2nd search term



## Title XXXVIII CRIMES AND PUNISHMENT; PEACE OFFICERS AND PUBLIC DEFENDERS

## Chapter 590

&lt; &gt; Effective - 28 Aug 2004 ↓

590.650. Racial profiling — minority group defined — reporting requirements — annual report — review of findings — failure to comply — funds for audio-visual equipment — sobriety check points exempt. — 1. As used in this section "minority group" means individuals of African, Hispanic, Native American or Asian descent.

2. Each time a peace officer stops a driver of a motor vehicle, that officer shall report the following information to the law enforcement agency that employs the officer:

- (1) The age, gender and race or minority group of the individual stopped;
- (2) The reasons for the stop;
- (3) Whether a search was conducted as a result of the stop;
- (4) If a search was conducted, whether the individual consented to the search, the probable cause for the search, whether the person was searched, whether the person's property was searched, and the duration of the search;
- (5) Whether any contraband was discovered in the course of the search and the type of any contraband discovered;
- (6) Whether any warning or citation was issued as a result of the stop;
- (7) If a warning or citation was issued, the violation charged or warning provided;
- (8) Whether an arrest was made as a result of either the stop or the search;
- (9) If an arrest was made, the crime charged; and
- (10) The location of the stop.

Such information may be reported using a format determined by the department of public safety which uses existing citation and report forms.

3. (1) Each law enforcement agency shall compile the data described in subsection 2 of this section for the calendar year into a report to the attorney general.

(2) Each law enforcement agency shall submit the report to the attorney general no later than March first of the following calendar year.

(3) The attorney general shall determine the format that all law enforcement agencies shall use to submit the report.

4. (1) The attorney general shall analyze the annual reports of law enforcement agencies required by this section and submit a report of the findings to the governor, the general assembly and each law enforcement agency no later than June first of each year.

(2) The report of the attorney general shall include at least the following information for each agency:

(a) The total number of vehicles stopped by peace officers during the previous calendar year;

(b) The number and percentage of stopped motor vehicles that were driven by members of each particular minority group;

(c) A comparison of the percentage of stopped motor vehicles driven by each minority group and the percentage of the state's population that each minority group comprises; and

(d) A compilation of the information reported by law enforcement agencies pursuant to subsection 2 of this section.

5. Each law enforcement agency shall adopt a policy on race-based traffic stops that:

(1) Prohibits the practice of routinely stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law;

(2) Provides for periodic reviews by the law enforcement agency of the annual report of the attorney general required by subsection 4 of this section that:

(a) Determine whether any peace officers of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency; and

(b) If the review reveals a pattern, require an investigation to determine whether any peace officers of the law enforcement agency routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law and

(3) Provides for appropriate counseling and training of any peace officer found to have engaged in race-based traffic stops within ninety days of the review.

The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

6. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency.

7. Each law enforcement agency in this state may utilize federal funds from community-oriented policing services grants or any other federal sources to equip each vehicle used for traffic stops with a video camera and voice-activated microphone.

8. A peace officer who stops a driver of a motor vehicle pursuant to a lawfully conducted sobriety check point or road block shall be exempt from the reporting requirements of subsection 2 of this section.

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(L. 2000 S.B. 1053, A.L. 2001 H.B. 80, A.L. 2004 S.B. 1233, et al.)

---- end of effective 28 Aug 2004 ----  
use this link to bookmark section 590.650

Click here for the **Reorganization Act of 1974 - or - Concurrent Resolutions Having Force & Effect of Law**

In accordance with Section 3.090, the language of statutory sections enacted during a legislative session are updated and available on this website on the effective date of such enacted statutory section.



► **Other Information**

► **Other Links**



Missouri Senate



MO.gov



Missouri House

Errors / suggestions -  
WebMaster@LR.mo.gov



History and Fun Facts

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Introduced by Treecce Council Bill No. R 23-18

**A RESOLUTION**

declaring support for Community-Oriented Policing.

WHEREAS, Community-Oriented Policing is an approach to public safety that starts with shared values among police professionals and members of the community; and

WHEREAS, Community-Oriented Policing Programs are planned, developed, implemented, and evaluated by police professionals in full partnership with members of the community; and

WHEREAS, effective Community-Oriented Policing Programs focus on community involvement, police training in communications and social issues, long-term patrol assignments in designated neighborhoods, officer time dedicated to building community relationships, the use of warnings in responding to minor crimes, and an internal Police Department culture of mentorship, personal coaching, and positive reinforcement; and

WHEREAS, Community-Oriented Policing Programs have been shown to be successful in preventing crime, solving crimes when they occur, de-escalating potentially violent situations, building positive relationships between police officers and residents (especially, youth), helping individuals receive services they need, and other social benefits; and

WHEREAS, the 2014 Mayor's Task Force on Community Violence (MTFCV) Final Report and Recommendations called for the Columbia Police Department (CPD) to adopt a Community-Oriented Policing model that emphasizes "positive communication," "cultural competency training," and "greater public involvement and accountability in CPD's vision, mission and goals," all of which would create "greater community appreciation for police officers;" and

WHEREAS, members of the MTFCV and other organized groups have repeated the call for a citywide Community-Oriented Policing Philosophy and Program in which CPD policies, supervision and training (including anti-racism training) ensure equal treatment for all and challenge implicit biases so that officers base their decisions and actions on specific and articulable evidence of criminal behavior; and

WHEREAS, organized groups and community members have called for a Community-Oriented Policing approach to facilitating public discussion of the racial disproportions in CPD's traffic stops and searches (as presented in the Attorney General's "Vehicle Stops Reports" over many years), so that a shared understanding may emerge of factors that contribute to disproportions and what can be done to address them; and

WHEREAS, despite severe resource limitations, CPD established the Columbia Outreach Unit in 2016 - a Community Policing Pilot Program which currently consists of eight patrol officers

who focus on relationship-building and preventive policing in four high-crime focus neighborhoods;  
and

WHEREAS, the Columbia Outreach Unit has been well-received by residents of these neighborhoods, which have experienced dramatic reductions in emergency calls for service and all categories of crime during the first year of the pilot program; and

WHEREAS, the City Council unanimously adopted Resolution R28-17 on February 20, 2017, "declaring the need to conduct a community engagement process about policing in Columbia that addresses staffing levels, officer safety and morale, and Community-Oriented Policing;" and

WHEREAS, Columbia NAACP held several well-attended public forums on Community Policing, Equity and Civility during the fall of 2017, during which Community-Oriented Policing has been extensively discussed, leading to formal recommendations for accountability, transparency, and mandatory cultural diversity training for law enforcement officers; and

WHEREAS, officials with CPD and the Columbia Police Officers' Association have expressed support for Community-Oriented Policing, and for improving officers' pay and benefits as part of that transition;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby declares its support for the philosophy of Community-Oriented Policing.

SECTION 2. The City Council directs the City Manager to design a citywide Community-Oriented Policing program for the Columbia Police Department (CPD) and a transition plan, timeline, and budget for modifying current CPD policies, procedures, and operations and implementing the new program; as well as an evaluation process that includes goals, objectives, and measurable outcomes.

SECTION 3. The process for designing the program and transition plan shall include input from a broad range of community members and organizations such as residents of high-crime neighborhoods; residents of neighborhoods that do not have high levels of crime; residents who have experienced racial disproportions in traffic stops and searches; groups with expertise in race relations, implicit bias, and community-oriented policing; members of the former Mayor's Task Force on Community Violence, representatives of Columbia Public Schools, University of Missouri, Chamber of Commerce, Heart of Missouri United Way, and social service providers; the Columbia Citizens' Police Review Board, Human Rights Commission, and other advisory boards; representatives of Columbia Police Officers Association; the Police Chief and officers of all ranks.

SECTION 4. The proposed citywide Community-Oriented Policing program and transition plan shall be presented to the City Council by August 31, 2018.

Sec. 21-24. - Reporting violations of ordinances.

It shall be the duty of the chief of police and his subordinates to report for prosecution all persons who shall violate any ordinances of the city, and all information and facts coming to his knowledge having reference thereto.

(Code 1964, § 7.215)

## CPD Implicit Bias Training: Course Outline

### Instructional Objectives ("At the conclusion of this training, the student will be able to...")

1. Discuss the different definitions of "success" as it relates to the product of effective policing.
2. Describe or define "implicit bias" as it relates to cultural competence and communication.
3. Discuss the differences in language and linguistic attribution related to modern policing efforts.
4. Explain the differences between "bias," "discrimination," "racism," and "prejudice."
5. Explain "contact theory" and its benefits.

### Detailed Synopsis of each Objective and how it is Delivered

1. **The student will be able to discuss the different definitions of "success" as it relates to the product of effective policing.** The instructor will ask the audience to engage in a discussion about measuring success of different professions, and how those perceptions can change based on perspective. (As an example, the instructor can ask the class, "What qualities or characteristics would you use to define a successful dentist? Would those characteristics change depending on whether the person observing is a patient, as opposed to a coworker? In essence, do you define your qualities of success as a police officer differently than citizens with whom you interact?")
2. **The student will be able to describe or define "implicit bias" as it relates to cultural competence and communication.** The student will be able to discuss and explain dynamics of cultural communication, specifically regarding how someone's perception of another's view of him or her changes how he or she, in turn, communicates back. The student will, in a classroom discussion, be able to articulate how the brain "fills in the blank" when knowledge is missing, and describe how bias is related to applying preconceived information to new stimuli. A working definition of implicit bias for this training is, "Automatic processes [that] involve the unintentional or spontaneous activation of some well-learned set of associations or responses that have been developed through repeated activation in memory. They do not require conscious effort and appear to be initiated by the presence of stimulus cues in the environment. A critical component of automatic processes is their inescapability; they occur despite deliberate attempts to bypass or ignore them."
3. **The student will be able to discuss the differences in language and linguistic attribution related to modern policing efforts,** and how people use different words to describe the same behavior or situation. (As an example, the instructor can ask the

class to provide a negative word for someone's productivity, which could be "slow," and then ask the class what word that person would use to describe himself or herself, in a positive connotation, for the same behavior, which could be "thorough." The goal here is regarding the generation of a list of qualities or behaviors that the student can compare and contrast based on a self-assessment as opposed to someone else's labeling. Another example would be if a citizen says an officer is "harassing" them, would an officer use the same word to describe that interaction, and if not, why not.)

4. **The student will be able to explain the differences between "bias," "discrimination," "racism," and "prejudice."** The student will be able to explain the relevance of visual perception studies (such as priming test subjects with black faces or white faces in conjunction with "crime relevant" objects). The student will be able to discuss how a person's experiences can affect how they perceive a police officer's legitimacy in interacting with them. In a classroom discussion, the student will be able to describe their own hypothetical reactions to being stopped by a police officer under varying circumstances. The student will be able to describe and explain a working definition of racism as a belief that one's moral, ethical, or social traits are predetermined by biological characteristics, and that those traits suggest a superiority or inferiority for those in that group compared to another group. The student will be able to explain the "Bouba/Kiki" psychological experiment and discuss how base perceptions can have long-lasting cognitive effects.
  
5. **The student will be able to explain "contact theory" and its benefits.** In a classroom discussion, the student will be able to discuss and explain the importance of positive contact with someone from a different group (social, economic, cultural, etc.) and explain how identifying commonalities across groups can facilitate communication as a police officer.



# COLUMBIA POLICE DEPARTMENT

Policy and Procedure Manual

## MEDICAL MARIJUANA

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**Approved By:** Geoffrey Jones Chief of Police  
**CALEA 6<sup>th</sup> Edition Standard:**

### **470 MEDICAL MARIJUANA**

#### **470.1 PURPOSE AND SCOPE**

The purpose of this policy is to provide Officers of this Department with guidelines for investigating the acquisition, possession, transportation, delivery, production, or use of marijuana under Missouri's medical marijuana laws (Mo. Const. art. XIV, § 1).

#### **470.2 DEFINITIONS**

Definitions related to this policy include (Mo. Const. art. XIV, § 1; 19 CSR 30-95.010):

**Marijuana** – Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products.

**Medical use** – The production, possession, delivery, distribution, transportation, or administration of marijuana or a marijuana-infused product (e.g., edible products, ointments, tinctures, concentrates), or drug paraphernalia used to administer marijuana or a marijuana-infused product, for the benefit of a qualifying patient to mitigate the symptoms or effects of the patient's qualifying medical condition.

**Physician certification** – A document, whether handwritten, electronic, or in another commonly used format, signed by a physician and stating that, in the physician's professional opinion, the patient suffers from a qualifying medical condition.

**Primary caregiver** – An individual 21 years of age or older who has significant responsibility for managing the well-being of a qualifying patient and who is designated as such on the primary caregiver's application for an identification card under this section or in other written notification to the Department. A primary caregiver may have up to three (3) Qualifying Patients.

**Qualifying patient** – A Missouri resident diagnosed with at least one qualifying medical condition.

#### **470.3 POLICY**

It is the policy of the Columbia Police Department (CPD) to prioritize resources to avoid making arrests related to marijuana that the arresting Officer reasonably believes would not be prosecuted by state or federal authorities.

Missouri medical marijuana laws are intended to provide protection from arrest, prosecution, civil liability, or sanctions under Missouri law to those who use, possess, deliver, or produce marijuana to mitigate the symptoms of certain chronic or debilitating medical conditions. However, Missouri medical marijuana laws

**MEDICAL MARIJUANA**

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do not affect federal laws, and there is no medical exception under federal law for the possession or distribution of marijuana. The Columbia Police Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under Missouri law and the resources of the Columbia Police Department.

**470.4 ALLOWABLE AMOUNTS OF MARIJUANA** – The amount includes (19 CSR 30-95.030):

**470.4.1 PURCHASE LIMITATIONS (30-Day Supply)**

a. Qualifying Patient (QP)

1. A QP may purchase four (4) ounces of dried marijuana, or its equivalent, in a 30-day period.

b. Primary Caregiver (PC)

1. A PC may purchase four (4) ounces of dried marijuana or its equivalent per patient cared for (and self if a QP).

**470.4.2 POSSESSION LIMITATIONS (60-Day Supply)**

a. Qualifying Patient

1. A QP may possess or instruct a PC to possess on their behalf up to a 60-day supply (8 ounces) of dried marijuana or its equivalent in other forms.

b. Primary Caregiver

1. A PC may possess up to a 60-day supply (8 ounces) dried marijuana or its equivalent per patient cared for (and self if a QP)

**470.4.3 CULTIVATION POSSESSION LIMITATIONS (90-Day Supply)**

Qualifying patients and primary caregivers who also have cultivation identification cards may grow and possess dried marijuana or its equivalent under the following conditions:

a. Qualifying Patient

1. A QP may possess up to a 90-day supply of dried marijuana or its equivalent, so long as the supply of medical marijuana remains on the QP's or PC's property and under their control;
2. A QP may grow six flowering marijuana plants;
3. Six non-flowering marijuana plants (over 14 inches tall); and
4. Six clones (plants under 14 inches tall).

**MEDICAL MARIJUANA**

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## b. Primary Caregiver

1. A PC may possess up to a 90-day supply for each QP (and self if QP);
2. A PC may grow six flowering marijuana plants per patient;
3. Six non-flowering marijuana plants (over 14 inches tall) per patient; and
4. Six clones (plants under 14 inches tall) per patient.

**470.5 INVESTIGATION GUIDELINES**

Investigations involving the possession, delivery, production or use of marijuana generally fall into one of several categories. This section will address the following as it pertains to medical marijuana:

- a. Consumption prohibited in public places;
- b. Non-cardholder possession of marijuana;
- c. Investigations involving a medical claim;
- d. Cardholders possessing over the allowed amount;
- e. Operating a motor vehicle; and
- f. Odor of marijuana and probable cause.

**470.5.1 CONSUMPTION PROHIBITED IN PUBLIC PLACES**

- a. No QP can consume marijuana for medical use in a public place. This includes sidewalks, streets, bridges, parks, schools, and businesses.
- b. When encountering a person consuming marijuana in a public place, **first ask for evidence of a medical card.**
- c. **If they do not have or otherwise possess a medical card**, then proceed pursuant to state and city marijuana laws, ordinances, and Department policy for handling possession of marijuana.
- d. **If the person possesses a medical card**, the officer can take enforcement action based on the circumstances and their discretion. The officer should advise that medical marijuana may not be consumed in a public place and report the violation to the Department of Health and Senior Services (DHSS) via email to [medicalmarijuanainfo@health.mo.gov](mailto:medicalmarijuanainfo@health.mo.gov) or by phone at 1-866-219-0165. Include the following information:
  1. Patient's name;
  2. Medical marijuana identification number;
  3. Synopsis of what happened; and
  4. A call back number.

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**470.5.2 NON-CARDHOLDER POSSESSION OF MARIJUANA**

In any investigation involving the possession, delivery, production, or use of marijuana or drug paraphernalia where no person claims or produces a medical, caregiver or cultivation card, the Officer should proceed with a criminal investigation pursuant to applicable law and Department policy. A medicinal claim may be raised at any time, so Officers should document any statements and observations that may be relevant to whether the marijuana was possessed or produced for medicinal purposes.

**470.5.3 INVESTIGATIONS INVOLVING A MEDICAL CLAIM**

A qualifying patient is required to possess an identification card or physician certification when in possession of marijuana. Officers shall not take enforcement action against a qualifying patient for possession of the allowable amount of marijuana if the patient has his/her identification card or physician certification (Mo. Const. art. XIV, § 1). However, Officers should treat a person without an identification card or physician certification in his/her possession as if it were in his/her possession if the person's status can be verified through query or other sources.

Officers should not ask where the marijuana was obtained or request to see a receipt for the purchase of the marijuana.

**470.5.4 CARDHOLDERS POSSESSING OVER THE ALLOWED AMOUNT**

When an officer encounters a person who is in possession of a medical card and in possession of marijuana, unless a scale or measurement device is readily available, the officer can only perform a visual determination as to whether the amount possessed is within the legal limit. **Officers who do not have access to a measuring device and cannot verify that the person with a valid medical card possesses more than the legally allowable amount should not ticket or arrest said person. An officer who encounters what would be considered a "large" overage amount should contact a supervisor and take necessary steps to verify the amount of marijuana that is over what can be legally possessed before any marijuana is seized.**

Officers shall not take enforcement action in cases where a qualifying patient possesses an amount of marijuana that exceeds the allowable amount if the qualifying patient's physician certification indicates that the patient requires a greater amount (Mo. Const. art. XIV, § 1; 19 CSR 30-95.030).

When a medical card holder is in possession of marijuana in a quantity that is clearly above the authorized limits, an Officer may ticket or arrest for the amount of marijuana possessed that is beyond what is allowed. **Officers may not seize any legally-possessed marijuana as this is tantamount to seizing a person's lawful medications. Furthermore, if lawfully possessed marijuana is seized and then needs to be returned to the citizen, the Department faces the issue of whether we have "dispensed" what is an illegal drug under Federal law.**

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Regulations authorize DHSS to fine identification holders for possessing unauthorized amounts of marijuana, so rather than seize potentially lawful medical marijuana, officers should report an overage to DHSS. This is one alternative to handling smaller amounts of marijuana overage. Overages should be reported via email to [medicalmarijuanainfo@health.mo.gov](mailto:medicalmarijuanainfo@health.mo.gov) or by phone at 1-866-219-0165. Include the following information:

- a. Patient's name;
- b. Medical marijuana identification number;
- c. Synopsis of what happened; and
- d. A call back number.

**470.5.5 INVESTIGATIONS INVOLVING PRIMARY CAREGIVERS**

Primary caregivers may possess a separate legal limit for each qualifying patient under their care and a separate legal limit for themselves if they are a qualifying patient (Mo. Const. art. XIV, § 1; 19 CSR 30-95.030).

Primary caregivers are required to possess a valid primary caregiver identification card. Officers shall not take enforcement action against a primary caregiver for possession of the allowable amount of marijuana if the caregiver is in possession of their identification card (Mo. Const. art. XIV, § 1). Officers should treat a caregiver without an identification card in his/her possession as if it were in his/her possession if his/her status can be verified through query or other sources.

**470.5.6 OPERATING A MOTOR VEHICLE**

The Constitutional Amendment does not permit a person to operate, navigate, or be in actual physical control of any dangerous device, motor vehicle, aircraft or motorboat while under the influence of marijuana. It does not explicitly prohibit consuming marijuana in a vehicle or operating a vehicle after any marijuana use. Based on this language, officers should continue to enforce impaired driving laws as they are presently enforced by law and Department policy. If the marijuana is suspected as a contributing factor to the impairment the marijuana may be seized.

**470.5.7 ODOR OF MARIJUANA AND PROBABLE CAUSE-VEHICLE SEARCHES**

Production of a medical marijuana card could give officers a reasonable belief that the marijuana is legal and probable cause of criminal activity may no longer exist. However, note that if there are no other/additional signs of criminal activity, the totality of the circumstances test still applies. When officers smell the odor of marijuana and medical identification is provided, officers can still point to other/additional signs of suspected criminal activity to establish probable cause to search a vehicle.

### **470.6 FEDERAL LAW ENFORCEMENT**

Officers should provide information regarding a marijuana investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities or whenever the Officer believes those authorities would have a particular interest in the information.

### **470.7 EVIDENCE**

#### **470.7.1 OFFICER RESPONSIBILITIES**

The investigating Officer should notify the receiving Evidence Custodian/Property Technician in writing when seized marijuana may be the subject of a medical claim.

#### **470.7.2 EVIDENCE CUSTODIAN RESPONSIBILITIES**

The Evidence Custodian should ensure that marijuana, drug paraphernalia, or other related property seized from a person engaged or assisting in the use of medical marijuana is not destroyed. The Evidence Custodian is not responsible for caring for live marijuana plants.

Upon the prosecutor's decision to forgo prosecution, the dismissal of charges or an acquittal, the Evidence Custodian should as soon as practicable contact the prosecutor's office for disposal instructions or a court order authorizing the destruction of the marijuana and associated property.

The Evidence Custodian may release marijuana to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Support Services Commander.

## 1.104 Columbia Police Dept

Table 1: Rates by Race for Columbia Police Dept

	Total	White	Black	Hispanic	Native American	Asian	Other
<b>Population</b>							
2020 population	102321	78132	10661	3301	258	6452	4654
2020 population %	100	76.36	10.42	3.23	.25	6.31	4.55
<b>Totals</b>							
All stops	6414	3945	2127	151	26	126	39
Resident stops	5152	3024	1840	113	25	116	34
Searches	716	321	379	11	0	3	2
Contraband	490	201	281	3	0	3	2
Arrests	531	259	261	8	0	2	1
Citations	753	469	230	22	5	19	8
<b>Rates</b>							
Stop rate	6.27	5.05	19.95	4.57	10.08	1.95	.84
Stop rate, residents	5.04	3.87	17.26	3.42	9.69	1.8	.73
Search rate	11.16	8.14	17.82	7.28	0	2.38	5.13
Contraband hit rate	68.44	62.62	74.14	27.27	.	100	100
Arrest rate	8.28	6.57	12.27	5.3	0	1.59	2.56
Citation rate	11.74	11.89	10.81	14.57	19.23	15.08	20.51

Notes: Population counts are based on the American Community Survey 5-year population estimates (ages 16+) for 2020. The ACS only provides race-specific Hispanic estimates for White, meaning non-White Hispanic residents are double-counted in the race percentages above.

Stop rate = (stops / population) X 100.

Stop rate, residents only = (stops of residents / population) X 100.

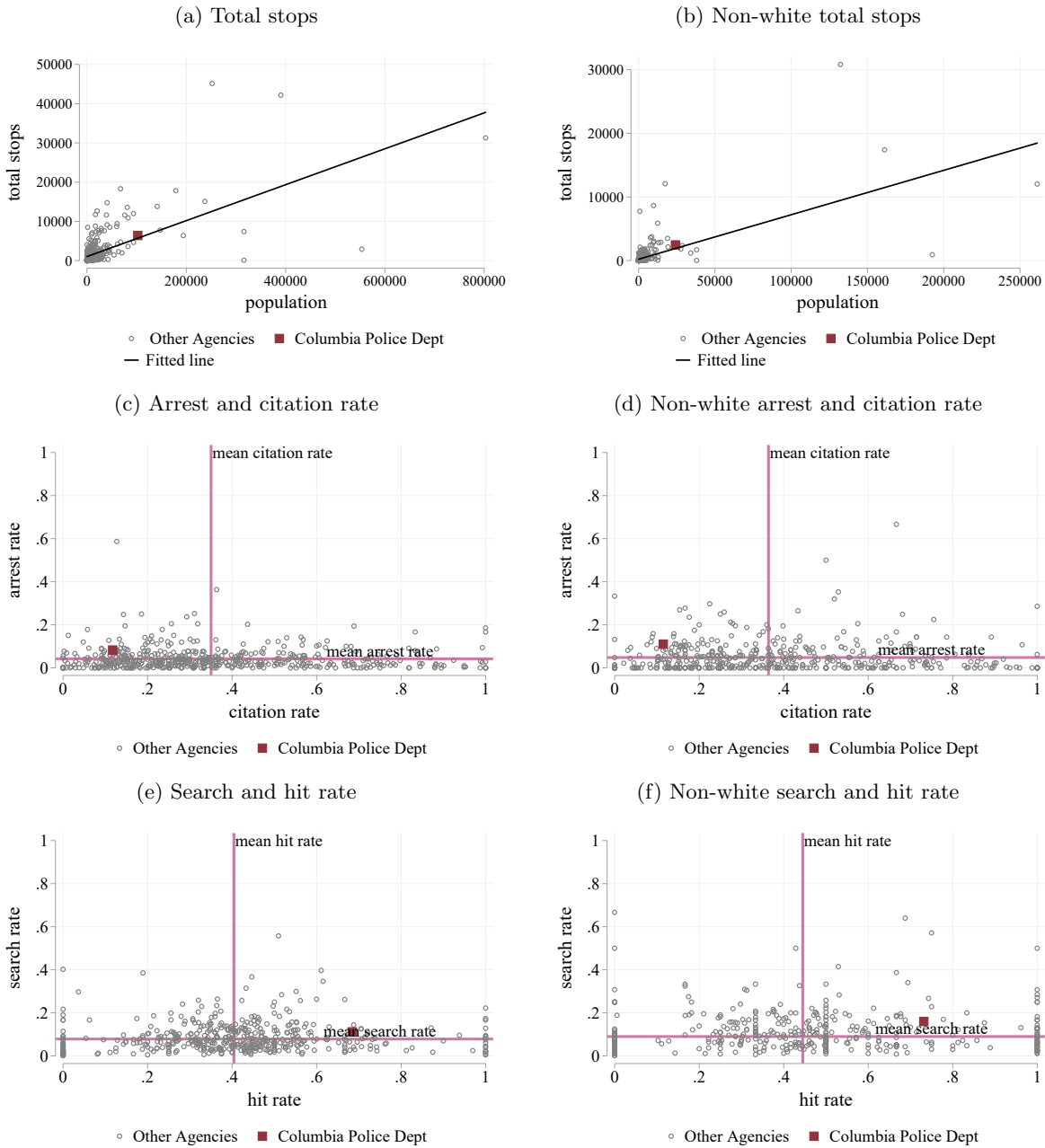
Search rate = (searches / stops) X 100.

Contraband hit rate = (searches with contraband found / total searches) X 100.

Arrest rate = (arrests / stops) X 100.

Citation rate = (citations / stops) X 100.

Figure 1: Comparison to other agencies by population for Columbia Police Dept



Notes: Figure (a) depicts the total number of stops for agencies with a similar population in Missouri, ordered by population size. Figure (b) shows the total number of non-white stops for the same agencies, ordered by the non-white population size. Similarly, Figures (c) and (d) graph the arrest rate and search rate for the same agencies and populations used in Figures (a) and (b). Likewise, Figures (e) and (f) graph the search rate and contraband hit rate for the same agencies and populations as the above figures. Population is measured using the 2020 American Community Survey 5-year estimates. The ACS only provides race-specific Hispanic estimates for White, to avoid double counting we calculate the total non-White population as the total population minus the Non-Hispanic White population for each agency. Agencies are plotted together in three categories: less than the median population size (2,805 persons), less than the 95th-percentile (54,461 persons), or all agencies (except the Missouri Highway Patrol, which covers the entire state). Agencies without population (e.g., university police) are considered to have a population of zero.



Table 2: Disparity Index by Race for Columbia Police Dept

	<b>Total</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Native American</b>	<b>Asian</b>	<b>Other</b>
<b>Population</b>							
2020 population	102321	78132	10661	3301	258	6452	4654
2020 population %	100	76.36	10.42	3.23	.25	6.31	4.55
<b>Stops</b>							
All stops	6414	3945	2127	151	26	126	39
Resident stops	5152	3024	1840	113	25	116	34
<b>Disparity index</b>							
All stops	.	.805	3.183	.73	1.608	.312	.134
Resident stops	.	.769	3.428	.68	1.924	.357	.145

Notes: The disparity index is based on the 5-year population estimates from the American Community Survey (ages 16+) for 2020. The ACS only provides race-specific Hispanic estimates for White, meaning non-White Hispanic residents are double-counted in the race percentages above.

Disparity index = (proportion of stops / proportion of population). A value of 1 indicates no difference between the share of stops and share of local population for a given group. Values greater than one indicate over-representation in the share of stops relative to local population, while a value less than 1 indicates under-representation.

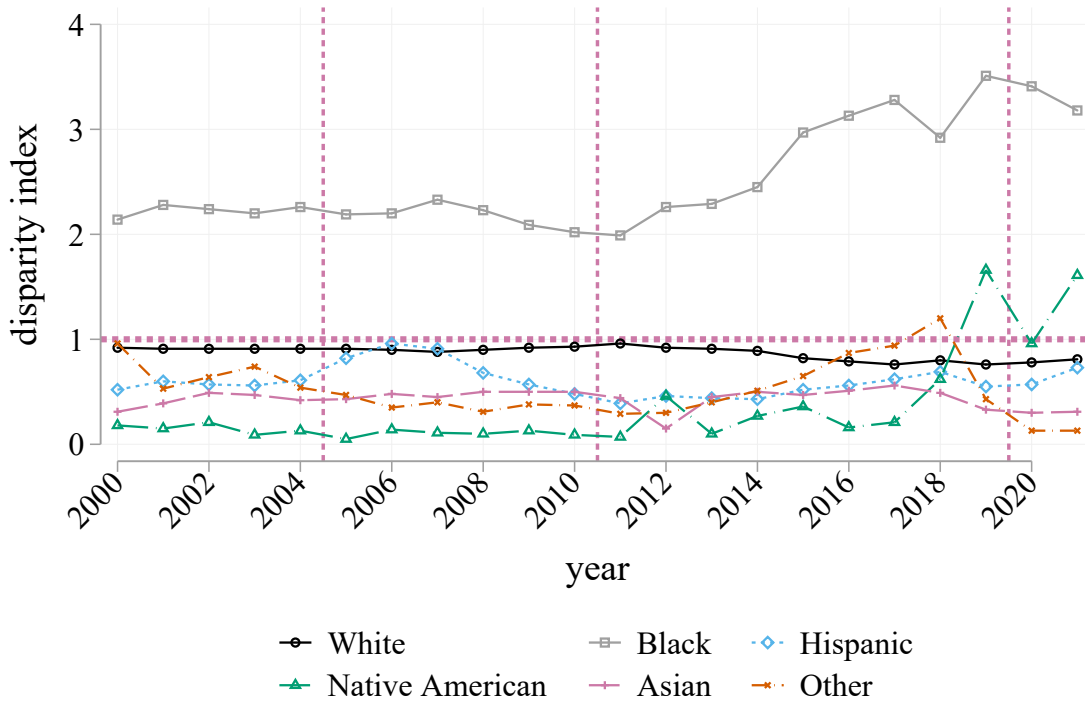
Table 3: Disparity Index from 2000 to 2021 for Columbia Police Dept

	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Native American</b>	<b>Asian</b>	<b>Other</b>
<b>2000</b>	.92	2.14	.52	.18	.31	.96
<b>2001</b>	.91	2.28	.6	.15	.39	.53
<b>2002</b>	.91	2.24	.57	.21	.49	.64
<b>2003</b>	.91	2.2	.56	.09	.47	.74
<b>2004</b>	.91	2.26	.61	.13	.42	.54
<b>2005</b>	.91	2.19	.82	.05	.43	.47
<b>2006</b>	.9	2.2	.96	.14	.48	.35
<b>2007</b>	.88	2.33	.91	.11	.45	.4
<b>2008</b>	.9	2.23	.68	.1	.5	.31
<b>2009</b>	.92	2.09	.57	.13	.5	.38
<b>2010</b>	.93	2.02	.48	.09	.5	.37
<b>2011</b>	.96	1.99	.39	.07	.44	.29
<b>2012</b>	.92	2.26	.46	.46	.15	.3
<b>2013</b>	.91	2.29	.44	.1	.45	.4
<b>2014</b>	.89	2.45	.43	.27	.5	.51
<b>2015</b>	.82	2.97	.52	.36	.47	.65
<b>2016</b>	.79	3.13	.56	.16	.51	.87
<b>2017</b>	.76	3.28	.62	.21	.56	.94
<b>2018</b>	.8	2.92	.69	.62	.49	1.2
<b>2019</b>	.76	3.51	.55	1.66	.33	.43
<b>2020</b>	.78	3.41	.57	.96	.3	.13
<b>2021</b>	.81	3.18	.73	1.61	.31	.13

Notes: In the years 2000 - 2004 the disparity index was calculated using the 2000 Decennial Census (ages 16+), 2005 - 2010 uses the annual updates from Geolytics Inc, and 2010 - 2019 use the 2010 Decennial Census for persons (ages 16+). Hispanics may be of any race. Other includes persons of two or more races or unknown race. The 2020 and 2021 disparity indices are based on the most recent 5-year population estimates (ages 16+) from the American Community Survey for Missouri (2015-2019 and 2016-2020, respectively).

Disparity index = (proportion of stops / proportion of population). A value of 1 indicates no difference between the share of stops and share of local population for a given group. Values greater than one indicate over-representation in the share of stops relative to local population, while a value less than 1 indicates under-representation.

Figure 2: Disparity Index from 2000 to 2021 for Columbia Police Dept



Notes: In the years 2000 - 2004 the disparity index was calculated using the 2000 Decennial Census (ages 16+), 2005 - 2010 use the annual updates from Geolytics Inc, and 2010 - 2019 use the 2010 Decennial Census(ages 16+). Hispanics may be of any race. Other includes persons of two or more races or unknown race. The 2020 and 2021 disparity indices are based on the most recent 5-year population estimates (ages 16+) from the American Community Survey for Missouri (2015-2019 and 2016-2020, respectively). Changes in the population are noted by the vertical dashed lines before 2005, 2011, and 2020. Disparity index = (proportion of stops / proportion of population). A value of 1 indicates no difference between the share of stops and share of local population for a given group. Values greater than one indicate over-representation in the share of stops relative to local population, while a value less than 1 indicates under-representation.

Table 4: Number of Stops by Race for Columbia Police Dept

	<b>Total</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Native American</b>	<b>Asian</b>	<b>Other</b>
<b>All Stops</b>	6414	3945	2127	151	26	126	39
Resident Stops	5152	3024	1840	113	25	116	34
Non-Resident Stops	1262	921	287	38	1	10	5
<b>Reason for Stop</b>	.	.	.	.	.	.	.
Moving	5750	3602	1827	140	24	124	33
Equipment	302	175	115	7	2	2	1
License	183	81	98	2	1	1	0
Investigative	473	226	234	6	0	1	6
<b>Stop Outcome</b>	.	.	.	.	.	.	.
Searches	716	321	379	11	0	3	2
Contraband	490	201	281	3	0	3	2
Arrests	531	259	261	8	0	2	1
Citation	753	469	230	22	5	19	8
Warning	3287	2005	1107	76	12	67	20
No action	184	105	72	4	0	3	0
<b>Location of Stop</b>	.	.	.	.	.	.	.
Interstate hwy	162	92	59	9	1	1	0
US hwy	76	48	26	2	0	0	0
State hwy	657	438	182	17	2	11	7
County road	10	6	4	0	0	0	0
City street	5466	3342	1835	123	23	113	30
Other	43	19	21	0	0	1	2
<b>Driver Gender</b>	.	.	.	.	.	.	.
Male	3678	2174	1301	96	17	66	24
Female	2736	1771	826	55	9	60	15
<b>Driver Age</b>	.	.	.	.	.	.	.
17 and under	275	152	109	9	2	1	2
18-29	2822	1694	1000	61	6	45	16
30-39	1342	752	506	40	7	29	8
40 and over	1975	1347	512	41	11	51	13

Notes: Data reported by the agency to the Attorney General's Office covering traffic stops in 2021.

Table 5: Search statistics for Columbia Police Dept

	Total	White	Black	Hispanic	Native American	Asian	Other
<b>Probable cause</b>	.	.	.	.	.	.	.
Consent	225	123	95	5	0	1	1
Inventory	25	13	12	0	0	0	0
Drug/alcohol odor	216	65	147	3	0	1	0
Incident to arrest	239	117	116	6	0	0	0
Plain view contra.	127	59	66	0	0	1	1
Reas. susp-weapon	96	37	58	0	0	1	0
Drug-dog alert	25	14	11	0	0	0	0
Other	29	14	15	0	0	0	0
<b>What searched</b>	.	.	.	.	.	.	.
Driver	103	49	52	2	0	0	0
Car/property	150	66	80	2	0	1	1
Driver & Property	479	218	251	7	0	2	1
<b>Search duration</b>	.	.	.	.	.	.	.
0-15 minutes	683	300	367	11	3	0	2
16-30 minutes	30	20	10	0	0	0	0
31+ minutes	4	2	2	0	0	0	0
<b>Contraband found</b>	.	.	.	.	.	.	.
Drugs/alcohol	387	164	216	3	0	3	1
Currency	10	3	7	0	0	0	0
Weapon	62	21	40	0	0	0	1
Stolen property	22	10	12	0	0	0	0
Other	9	3	6	0	0	0	0
<b>Arrest charge</b>	.	.	.	.	.	.	.
Outstanding warrant	189	78	108	1	0	1	1
Drug violation	118	56	60	0	0	1	1
Resist arrest	40	10	28	0	0	2	0
Off against person	25	9	15	0	0	1	0
Traffic violation	284	159	105	12	3	3	2
DWI/BAC	125	83	36	6	0	0	0
Property offense	32	13	19	0	0	0	0
Other	55	31	24	0	0	0	0

Notes: Data reported by the agency to the Attorney General's Office covering traffic stops in 2021.