

# Rio Arriba Sheriff's Office

## Policy and Procedure

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### **Unbiased Policing:**

It is the policy of the Rio Arriba Sheriff's Office (hereinafter referred to as RASO) to emphasize commitment to unbiased, equitable treatment of all persons when enforcing the law and providing law enforcement services. The maintenance of public trust and confidence in RASO is critical to effective law enforcement and is achieved largely through fair and equitable treatment of the public.

All persons having contact with members of RASO shall be treated in a nonpartisan, fair, equitable, and objective manner, in accordance with law, and without consideration of their race, color, national origin, or other individual characteristics or distinctions as defined in this policy.

### **Definitions:**

#### **Biased Based Policing**

The interdiction, detention, arrest or other non-consensual treatment of an individual because of a characteristic or status, such as race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, physical or mental disability or serious mental condition or economic status.

#### **Equal Treatment**

In the present context, equal treatment means that persons, irrespective of race or other distinction, shall be treated in the same basic manner under the same or similar circumstances. This does not mean that all persons in the same or similar circumstances can or must be treated identically in all cases. Reasonable concessions and accommodations may be, and sometimes should be made, when dealing with individuals with physical or mental disabilities, injury, illness, infirmity, or similar conditions, or when information about them necessitates different treatment.

#### **Law Enforcement Contacts/Enforcement Actions**

Includes, but is not limited to, a routine or spontaneous investigatory activity, including an interview, a detention, a traffic stop, a pedestrian stop, a frisk or other type of bodily search, or a search of personal or real property.

#### **Law Enforcement Service Functions**

Sometimes referred to as community caretaking functions, these are actions and activities that may not directly include enforcement of the law but that contribute to the overall well being and safety of the public. These include but are not limited to such tasks as assistance at fire scenes, traffic accidents, medical emergencies, lifesaving services, crime prevention, preventive patrol, traffic control, public information, education assistance and similar activities.

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#### **Fair and Equal Treatment**

- A. Biased-based policing by any member of RASO is prohibited. Investigative detentions, field contacts, traffic stops, pedestrian stops, searches, a frisk, other type of bodily searches, arrests, property seizures and forfeiture efforts will be based on a standard of reasonable suspicion or probable cause for determining when or how to take the enforcement action in accordance with applicable Constitutional laws.
- B. Nothing in this policy prohibits Deputies from using the traits and characteristics of persons such as race, ethnicity, or other information to assist in establishing reasonable suspicion or probable cause in the same manner that Deputies would use hair color, height, weight, or gender for such purposes.
- C. RASO personnel will provide the same level of law enforcement to every citizen regardless of their race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, physical or mental disability, serious medical condition, or economic status.

#### **Duties of RASO Personnel**

- A. Deputies who witness or who are aware of instances of biased-based policing shall immediately report the incident to their supervisor and submit the information in accordance with S.O.P.
- B. RASO takes seriously all allegations of biased-based policing. Anyone may lodge a complaint regarding alleged unlawful law enforcement profiling with RASO.
- C. All complaints will be forwarded to the Internal Affairs Unit, and must be made within 90 days of the original incident.

#### **Supervisor Duties**

- A. Supervisors are responsible for seeing that all personnel under their command are familiar with this policy.
- B. Supervisors will monitor the activities of personnel under their command in order to identify behaviors that may be indicative of a violation of this policy.
- C. Supervisors will respond to all citizen complaints of biased-based policing and will ensure that complaints are handled in accordance with RASO policy.

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### Training

- A. All Deputies will receive training during basic orientation and in-service. The curriculum will encompass the Prohibition of Profiling Practices Act, Laws 2009 Chapter 177, 1-4, NMSA 1978 29-21-1 et seq.
- B. When necessary, remedial training deemed will be provided.

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Printed Name

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Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Date