

SOCORRO COUNTY SHERIFF'S DEPARTMENT
BIAS BASED POLICE PROFILING POLICY

1. PURPOSE:

The purpose of this policy is to state the Socorro County Sheriff's Department commitment to unbiased, equitable treatment of all persons in enforcing the law and providing law enforcement services.

2. POLICY:

Public trust and confidence in the Sheriff's Department is critical to effective law enforcement and is achieved largely through fair and equitable treatment of the public. It is the policy of the Socorro Sheriff's Department to respect and protect the constitutional rights of all individuals during law enforcement contacts and/or enforcement actions and that such enforcement decisions will not be predicated solely on the basis of an individual's race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, physical or mental disability or serious medical condition, or economic status.

To this end, biased-based policing and/or profiling in the Department are unacceptable practices that will not be tolerated.

3. DEFINITIONS:

BIASED-BASED POLICING/PROFILING

The interdiction, detention, arrest or other nonconsensual 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 medical condition, or economic status.

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.

4. GENERAL PROCEDURES:

- A. Biased-based policing / profiling by any member of this Department is prohibited. Investigative detentions, field contacts, traffic stops, pedestrian stops, searches, a frisk, other type bodily searches, arrests, property seizures and forfeiture efforts will be based on a standard of reasonable suspicion or

intimidate, coerce, or threaten retaliation against citizens to discourage or prevent them from filing complaints.

8. TRAINING

- A. The Socorro County Sheriff's Office provides training to its law enforcement officers during orientation and every two years thereafter to assist deputies in adhering to this policy and the Prohibition of Profiling Practices Act, Laws 2009 Chapter 177, §§ 1-4, NMSA 1978 § 29-21-1 et seq.

9. INVESTIGATION OF ALLEGATIONS OF ILLEGAL PROFILING


Allegations of illegal profiling will be handled as follows:

- A. All complaints will be investigated by the Chief Deputy unless the Chief Deputy is the subject of the complaint in which case the sheriff shall designate an alternate investigator.
- B. Training will be utilized to address needs based on the outcome of the investigation.
- C. The Sheriff will submit a redacted copy of all complaints and a description of their disposition to the New Mexico Attorney General. The documents submitted to the Attorney General shall disclose the nature and disposition of the complaint but shall not disclose personal identifying information of a law enforcement officer or complainant.

10. DISCIPLINE

- A. Violation of this policy prohibiting unlawful police profiling is cause for discipline. The Sheriff will take any action necessary to enforce this policy up to and including termination.

Approved and Effective this 10 day of January, 2011.


Phillip Montoya, Sheriff