

**CORRALES POLICE DEPARTMENT
POLICIES AND PROCEDURES**

POLICY NO: 2-47	SUPERSEDES: All Prior	EFFECTIVE DATE: October 04, 2012	PAGE NO: 1 of 2
SUBJECT: Prohibition Against Bias Based Profiling, Detentions, and Arrests		APPROVED BY: Chief Ray R. Vigil	
<i>REVIEW DATE: October, 2017</i>			

PURPOSE:

To reaffirm the Department's commitment to unbiased law enforcement.

POLICY:

It is the policy of the Corrales Police Department to provide procedures that clarify the circumstances in which race, ethnicity, and national origin can be used as a factor to establish reasonable suspicion or probable cause and to serve to assure the public that the Department is providing law enforcement services in a fair, equitable and constitutional manner.

PROCEDURE:

Definition:

Bias Based Profiling: The interdiction, detention, arrest or other nonconsensual treatment of individuals based solely on a characteristic or status characteristic, which includes, but is not limited to, race, ethnic background, national origin, gender, sexual orientation, religion, economic status, age or culture.

The Department does not tolerate nor condone the use of any bias based profiling. Officers must have reasonable suspicion supported by specific articulated facts that the person contacted regarding their identification, activity or location is committing, has committed, or is about to commit a violation of the law or is currently presenting a threat to the safety of themselves or others.

All investigative detentions, vehicle stops, arrests, searches and seizures and asset seizure and forfeiture efforts must be based on a standard of reasonable suspicion or probable cause as required by the United States and New Mexico Constitutions, statutory authority and prevailing case law.

Officers must be able to articulate specific facts, circumstances and conclusions, which support probable cause or reasonable suspicion for an arrest, vehicle stop or investigative detention.

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Officers may take into account the race, ethnic background, national origin, gender, sexual orientation, religion, economic status, age or culture of a specific suspect or suspects based on credible, reliable, locally-relevant information that links a person of a specific race to a particular criminal incident, or links a specific series of crimes in an area to a group of individuals. Except as listed above, no person shall be singled out or otherwise treated differently on account of their race, ethnic background, gender, sexual orientation, religion, economic status, age or culture.

To prevent the inappropriate perception of bias based policing, officers will utilize the following procedures when conducting any and all vehicle stops or investigative detentions:

1. Be courteous, polite and professional;
2. Introduce themselves, providing their name, and explain to the citizen the reason for the stop as soon as practical;
3. For vehicle stops, ask the driver for their drivers license, registration and proof of insurance;
4. Ensure that the length of the stop is no longer than necessary to take appropriate action for the known or suspected offense;
5. Answer any questions the citizen may have, including explaining options for the disposition of the traffic citation, if relevant.

Training:

Officers receive academy training in the topic areas of Community Oriented Policing, Cultural Awareness, Verbal Communications, Ethical/Unethical Behavior, Laws of Arrest, Search and Seizure, Probable Cause, and Police Community Relationships, all of which deal with the issue of bias based profiling to some degree. Officers receive in-service training, to include Legal Update, which encompasses the latest statutory requirements and case law relating to reasonable suspicion and probable cause as it pertains to vehicle stops and investigative detention.

Corrective Measures:

Complaints of bias-based profiling, detentions or arrests will be accepted from any source or manner, and must be made within 90 days from the date of the alleged incident.

Reported or alleged violations of this policy are investigated and resolved pursuant to the Department Internal Affairs policy and procedure (#2-18) and Village and Department disciplinary procedures. Upon the conclusion of the investigation, a redacted copy of the complaint and findings, which shall disclose the nature and disposition of the complaint but shall not disclose personal identifying information of a law enforcement officer or complainant, shall be submitted to the Attorney General's Office.