




FARMINGTON POLICE DEPARTMENT		
POLICY AND PROCEDURE		
	POLICY NUMBER: 101-12	EFFECTIVE DATE: 4/18/2013
	SUBJECT: Prohibition Against Bias Based Profiling, Detentions, and Arrests	
	APPROVED BY:  KYLE WESTALL, CHIEF OF POLICE	
		

PURPOSE:

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

POLICY:

It is the policy of the Farmington 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 non-consensual treatment of individuals based solely on a characteristic or status characteristic, which includes, but is not limited to, race, ethnic background, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, economic status, age, physical or mental disability, or culture.

The Department does not tolerate nor does it condone the use of any bias based profiling. Officers must have reasonable suspicion supported by specific articulable 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.

Employees are prohibited from engaging in bias based profiling in the deliverance of all police department services, with special emphasis on all traffic contacts, investigative detentions, field contacts, vehicle stops, arrests, searches and seizures, asset seizures and forfeiture efforts. These services must be based on a

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In accordance with New Mexico State law, complaints specific to a violation of NMSA 29-21-2, Prohibition of Profiling Practices, and which are subject to mandatory reporting to the Office of the Attorney General of the State of New Mexico, may be received for a period of up to 180 days after the alleged discriminatory act occurred. However, in accordance with established Departmental policy and practice, the Department may receive and consider complaints regarding employee demeanor, conduct, performance, and conformity to laws without time constraints.

The Department shall comply with the required provisions and reporting activities as delineated in NMSA 29-21-1 through 29-21-4, Prohibition of Profiling Practices.

Annual Review:

The Inspections Lieutenant conducts a documented annual review of the Department practices relating to bias based profiling as part of the Use of Force Report annual analysis and Early Identification System annual evaluation, and by conducting an annual review of this policy and of any known citizen concerns related to bias based profiling practices.