

601-1

**QUAY COUNTY SHERIFF'S OFFICE**  
**BIAS BASED POLICE PROFILING POLICY**

1. PURPOSE:

The purpose of this policy is to state the Quay County Sheriff's Office 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 Office is critical to effective law enforcement and is achieved largely through fair and equitable treatment of the public. It is the policy of the Quay Sheriff's Office 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 Sheriff's Office 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 property.

4. GENERAL PROCEDURES:

- A. Biased-based policing / profiling by any member of this Office is prohibited. Investigate 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 probable cause for determining when or how to take enforcement action in accordance with the Fourth Amendment of the U.S. Constitution.

- B. Nothing in this policy prohibits officers from using the traits and characteristics of persons, such as race, ethnicity, or national origin in the same manner that officers would use hair color, height, weight, or gender to the extent that credible information, relevant to the locality or time frame, links a person with those identifying characteristics to an identified criminal incident or criminal activity.
- C. Sheriff's Office personnel will provide the same level of police service 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.

5. REPORTING:

- A. Anyone may lodge a complaint regarding alleged unlawful police profiling with the Quay County Sheriff's Office. All complaints will be investigated regardless of whether they are oral or in writing, anonymous or made by 3<sup>rd</sup> parties. Complaints must be made within 90 days of the original incident but no later than 180 days after the original incident.
- B. The Sheriff's Office will provide complaint forms and personnel will make them available to the public.

6. DUTIES OF SHERIFF'S OFFICE PERSONNEL:

- A. Any member of this Office who is aware of a violation of this section, or who receives a citizen complaint, shall immediately report the alleged violation to a supervisor orally and submit the information in writing.
- B. Personnel shall not discourage citizens from filing complaints of biased-based policing / profiling and shall not intimidate, coerce, or threaten retaliation against citizens to discourage or prevent them from filing complaints.

7. UNDERSHERIFF'S DUTIES:

- A. The Undersheriff is responsible for seeing that all personnel under their command are familiar with this policy.
- B. The Undersheriff will monitor the activities of personnel under his command in order to identify behaviors that may be indicative of a violation of this policy.
- C. The Undersheriff will respond to all citizen complaints of biased-based policing / profiling and will ensure that complaints are handled in accordance with this policy. Personnel will not discourage citizens from filing complaints of biased-based policing / profiling and shall not intimidate, coerce, or threaten retaliation against citizens to discourage or prevent them from filing complaints.

## Citizen Complaint Form

You have the right to make a complaint against any Quay County Sheriff's Office Employee for improper conduct. The Sheriff Office will conduct an investigation and you will be notified of the outcome if you have given us a way to contact you.

**Complainant Information (if known):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone(s): \_\_\_\_\_

Email(s): \_\_\_\_\_

**Sheriff Office personnel involved in the alleged misconduct (if known):**

Name: \_\_\_\_\_

Name: \_\_\_\_\_

**Description of incident (please provide as much detail as possible):**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that this statement will be submitted to the Quay County Sheriff's Office and will serve as a basis for an internal investigation. I declare and affirm that the facts contained in this statement are complete, accurate and true to the best of my knowledge and belief. Furthermore, I agree to fully cooperate with any investigation and agree to appear at any civil or criminal proceedings, if necessary. I also understand that if I attest to any intentional false statement it may be cause for criminal and/or civil proceeding against me.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Parent or Guardian if under 18 years of age: \_\_\_\_\_

**Sheriff's Office personnel accepting the complaint:**

Name (printed) \_\_\_\_\_ Date: \_\_\_\_\_