



RIO RANCHO POLICE DEPARTMENT STANDARDS AND PROCEDURES

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SECTION: IX
CHAPTER: 2
ARTICLE: 27

BIASED POLICING

GENERAL STANDARD

This policy emphasizes the Department's commitment to prohibit biased policing, "profiling" or other conduct unbecoming of an officer when contact with the public is based on the race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, age, economic status, physical or mental disability or serious medical condition as cited in the Prohibition of Profiling Practices Act, NMSA 1978, Section 29-21-1 (2009).

This policy is not intended to prohibit the discretion of an officer, but rather, it is directed to the use of police discretion based on false or unreasonable perceptions, preconceptions, or biases of officers that obscure impartiality and interfere with professional decision making and training.

A. DEFINITIONS

1. **Biased Policing:** Discrimination in the performance of law enforcement duties or delivery of police services, based on personal prejudices or partiality of officers that interferes with their professional judgment, training, departmental policy, or adherence to law.
2. **Profiling:** Includes, but is not limited to prejudicial decisions affecting individuals in classes protected by federal and state law. It also includes, for example, persons with whom officers have such "personal involvement" that they cannot act impartially, as defined herein.
3. **Equal Treatment:** All persons shall be treated in the same basic manner under the same or similar circumstances, irrespective of race or other distinction.

B. STANDARDS AND PROCEDURES

1. Officers shall provide equitable treatment of all persons while actively performing their official duties.
2. Officers shall be able to articulate specific facts and inferences drawn from those facts that establish reasonable suspicion of probable cause to take any enforcement action.
3. Officers shall investigate the credible information relevant to the locality or time frame that links a person to criminal activity.
4. Officers may use traits or distinguishing characteristics of person, such as race, in combination with other facts to assist in establishing reasonable suspicion or probable cause in the same manner that an officer would use hair color, height weight, or gender for such purposes.
5. This policy does not exclude any officer from conducting safety stops, welfare checks or consensual encounters that are done so in the interest of public safety.

C. ENFORCEMENT

1. Officers who witness or who are aware of instances of bias-based policing shall report the incident to their supervisor.
2. The Department takes seriously all allegations of bias-based policing. All such complaints shall be forwarded to the officer's supervisor for investigation.
3. Complaints of any bias-based policing will be accepted from any source or manner and must be made within 90 days from the commission of the alleged violation.
4. The Department shall provide all redacted copies of citizen complaints regarding biased policing to the New Mexico Attorney Generals' office upon request.

D. **TRAINING:** All officers will receive basic and in-service training on subjects related to police ethics, cultural diversity, police-citizen interaction, standards of conduct, conducting motor vehicle stops, and related topics suitable for preventing incidents of biased policing at least once every two years thereafter. NMSA 1978, Section 29-21-3.

E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.