

JUDSON ISD POLICE DEPT.	RULES AND REGULATIONS
SUBJECT: RACIAL PROFILING	NUMBER: 2 – 35
EFFECTIVE DATE: 01/01/2016	REVIEW DATE:
CALEA STANDARDS:	APPROVED: <u>Teresa Ramon</u> Chief of Police

NOTE:

This rule of regulation is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department and then only in a non-judicial administrative setting.

INDEX WORDS:

Ethnicity	Racial Profiling
Pedestrian Stop	Stereotype
Race	Traffic Stop

I. POLICY:

It is the policy of the JISD Police that its officers conduct themselves in a professional and respectful manner at all times when dealing with the public. Officers shall actively enforce law in a responsible and professional manner, without regard to race, ethnicity, or national origin. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. This policy shall not preclude officers from offering assistance. Nor does this policy prohibit stopping someone suspected of a crime based upon observed action and/or information received about the person.

II. PURPOSE:

The purpose of this policy is to reaffirm the JISD Police Department's commitment to unbiased policing in all its encounters between an officer and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion.

III. DEFINITIONS:

A. Racial Profiling:

A law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

B. Race or Ethnicity:

Of a particular descent, including Caucasian, African, Hispanic, Asian, Middle Eastern or Native American descent.

C. Pedestrian Stop:

An interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

D. Traffic Stop:

The stopping of a motor vehicle by a peace officer for an alleged violation of a law or ordinance regulating traffic.

IV. PROCEDURE – GENERAL:

A. Racial Profiling

1. Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants or other citizen contact.
2. The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as legitimate factors in a detention decision.
3. Race, ethnicity or national origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching.

V. RESPONSIBILITIES – GENERAL:

- A. Officers shall not use racial or ethnic stereotypes as factors in selecting whom to stop and search, while officers may use race in conjunction with other known factors of the suspect.
- B. Officers shall not use racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling is not relevant as it pertains to witnesses, victims, etc.

VI. TRAINING:

Officers shall complete required racial profiling training and education as specified by TCOLE pursuant to Chapter 1701 Texas Occupational Code.

VIII. COMPLAINT INVESTIGATION:

- A. The department shall accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic or national origin profiling. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
- B. Any employee who receives an allegation of racial profiling, including the officer who initiated the stop, shall record the person's name, address and telephone number and

forward the complaint through the division commander's office or direct the individual(s) to contact the division commander's office. All employees will report any allegation of racial profiling to their supervisor before the end of their shift.

- C. Any officer found in violation of this policy will receive the appropriate corrective and/or disciplinary action, up to and including termination of employment.

VIII. PUBLIC EDUCATION:

The department will make its policy against racial profiling available to the public by utilizing methods such as the internet, media, brochures, presentations, etc. Additionally, information will be made available, as appropriate in languages other than English.

IX. CITATION DATA COLLECTION AND REPORTING:

- A. The department shall collect information relating to traffic stops in which a citation is used and relating to arrests that result from those traffic stops.

The information shall include:

1. the race or ethnicity of the individual detained; and
2. whether a search was conducted; and if so
3. whether the search was consensual; and
4. the traffic law alleged to have been violated or the suspected offense

- B. The department shall submit an annual report of this information to the Board of Trustees. This report shall be submitted not later than March 1st of each year and must contain the information compiled during the previous calendar year. The report shall include:

1. breakdown of citations by race or ethnicity;
2. number of citations that resulted in search;
3. number of searches that were consensual; and
4. number of citations that resulted in custodial arrest for the cited violation or any other violation.