

POLICY #401 RACIAL PROFILING POLICY

401.1 PURPOSE AND SCOPE

This policy provides guidance to office members that affirms the Waseca County Sheriff's Office's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the office's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

401.1.1 DEFINITIONS

Racial profiling has the meaning given to it in Minn. Stat. 626.8471, Subd. 2. which states : "Racial profiling" means any action initiated by law enforcement that relies upon the race, ethnicity, or national origin of an individual rather than:

1. the behavior of that individual; or
2. information that leads law enforcement to a particular individual who has been identified as being engaged in or having been engaged in criminal activity. racial profiling includes use of racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling does not include law enforcement's use of race or ethnicity to determine whether a person matches a specific description of a particular subject.

401.2 POLICY

It is the Policy of the Waseca County Sheriff's Office to reaffirm our commitment to impartial policing and to reinforce procedures that serve to assure the public we are providing service and enforcing laws in a fair and equitable manner to all.

401.3 PROCEDURES

A. Policing impartially, not racial profiling, is standard procedure for this agency meaning;

1. investigative detentions, pedestrian and vehicle stops, arrests, searches and property seizures by peace officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the United States Constitution and peace officers must be able to articulate specific facts, circumstances and conclusions that support reasonable suspicion or probable cause for investigative detentions, pedestrian and vehicle stops, arrests, nonconsensual searches and property seizures:
2. except as provided in paragraph 3. peace officers shall not consider race, ethnicity, national origin, gender, sexual orientation and religion in establishing either reasonable suspicion or probable cause; and

3. peace officers may take into account the descriptors in paragraph 2. based on information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals and this information may be used in the same manner officers use specific information regarding age, height, weight, etc about specific suspects

B.

1. be respectful and professional
2. introduce or identify themselves to the citizen and state the reason for the contact as soon as practical unless providing this information will compromise officer or public safety:
3. ensure the detention is no longer than necessary to take appropriated action for the known or suspected offense:
4. attempt to answer any relevant questions the citizen may have regarding the citizen/officer contact including relevant referrals to other agencies when appropriate:
5. provide their name and badge number when requested, preferably in writing or on a business card: and
6. explain and /or apologize if it is determined the reasonable suspicion was unfounded (e.g. after an investigatory stop).

C. Supervisor shall ensure all personnel in thier command are familiar with the content of this policy and are in compliance.