

## Racial or Bias-Based Profiling

### 412.1 PURPOSE AND SCOPE

This policy provides guidance to department employees and establishes appropriate controls to ensure that employees of the Riverside County Probation Department do not engage in racial or bias-based profiling or violate any related laws while serving the community.

#### 412.1.1 DEFINITION

Definitions related to this policy include:

**Racial or bias-based profiling** - An inappropriate reliance on factors such as race, ethnicity, national origin, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group as a factor in deciding whether to take probation action or to provide service. This includes gender identity or expression (Penal Code § 13519.4).

### 412.2 AUTHORITY AND REFERENCES

- Executive Committee;
- California Penal Code § 13519.4.

### 412.3 POLICY

It is the policy of this department to provide probation services and to enforce the law equally, fairly and without discrimination toward any individual or group.

Race, ethnicity or nationality, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of probation services or the enforcement of the law.

### 412.4 RACIAL OR BIAS-BASED PROFILING PROHIBITED

Racial or bias-based profiling is strictly prohibited. However, nothing in this policy is intended to prohibit an officer from considering factors such as race or ethnicity in combination with other legitimate factors to establish reasonable suspicion or probable cause (e.g., suspect description is limited to a specific race or group).

### 412.5 EMPLOYEE RESPONSIBILITY

Every employee of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any known instances of racial or bias-based profiling to a supervisor.

#### 412.5.1 REASON FOR DETENTION

Officers detaining a person shall be prepared to articulate sufficient reasonable suspicion to justify a detention, independent of the individual's membership in a protected class.

## *Racial or Bias-Based Profiling*

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To the extent that written documentation would otherwise be completed (e.g., violation, arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the officer's reasonable suspicion or probable cause for the detention, as applicable.

Nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

### **412.6 SUPERVISOR RESPONSIBILITY**

Supervisors shall monitor those individuals under their command for any behavior that may conflict with the purpose of this policy and shall address any alleged or observed violation of this policy in a timely manner consistent with department procedure and/or manager directive.

- (a) Supervisors shall forward information indicative of any actual or alleged violations of this policy up through the chain of command.
- (b) Supervisors should ensure that no retaliatory action is taken against any employee of this department who discloses information concerning racial or bias-based profiling.

### **412.7 TRAINING**

Training on racial or bias-based profiling and review of this policy should be conducted as directed by the Staff Development Unit.

Date(s) revised: 08/03/2017

Created: 01/20/2016

Attachments: None