

402 - Bias Based Policing

402.1 PURPOSE AND SCOPE

The Sonoma County Sheriff's Department strives to provide law enforcement to our community with due regard to the racial and cultural differences of those we serve. It is the policy and practice of this Department to provide law enforcement services and to enforce the law equally and fairly without discrimination toward any individual(s) or group because of their race, ethnicity or nationality. All law enforcement members must treat every member of the community fairly without regard to race, ethnicity, age, gender, sexual orientation or nationality.

402.2 DEFINITION

No person, whether or not acting under color of law, shall by force or threat of force, willfully injure, intimidate, interfere with, oppress, or threaten any other person in the free exercise or enjoyment of any right or privilege secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States because of the other person's race, color, religion, ancestry, national origin, disability, gender, or sexual orientation, or because he or she perceives that the other person has one or more of those characteristics. [Penal Code § 422.6(a)]

402.3 GUIDELINES

The practice of racial profiling is illegal [Penal Code § 13519.4(e)] and will not be tolerated by this Department.

- (a) It is the responsibility of every member of this Department to prevent, report and respond appropriately to clear discriminatory or biased practices.
- (b) Every member of this Department engaging in a non-consensual detention shall be prepared to articulate reasonable suspicion to justify the detention independent of the individual's membership in a protected class.
 - 1. To the extent that written documentation would otherwise be completed (e.g. arrest report, FI card, etc.), the involved Deputy should include those facts giving rise to the member's reasonable suspicion or probable cause for the contact.
 - 2. While the practice of "bias based policing" is strictly prohibited, it is recognized that race or ethnicity may be legitimately considered by a Deputy 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).

402.4 TRAINING

It is the responsibility of this Department to ensure that sworn members of this agency attend POST approved training on the subject of "biased based policing" and that regular refresher courses occur to keep member's current with changing racial and cultural trends.

All members of Sonoma County Sheriff's Department are encouraged to familiarize themselves with cultural issues within their respective communities to ensure that police powers are exercised in a manner that is fair, unbiased and respects the dignity of all individuals.