



# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



## 210.05 BIAS-BASED POLICING 06-05-17

### PURPOSE

To provide law enforcement services and to enforce the law equally and fairly without discrimination toward any individual(s) or group.

### POLICY

It shall be the policy of the Sacramento Police Department that officers contact, stop, detain, search, and /or arrest persons only in accordance with established laws, legal and ethical guidelines, and department recognized training standards, and in a manner that is free from improperly biased racial, cultural, or discriminatory intentions. The detention, interdiction, or disparate treatment of any person based on their race, ethnic background, nationality, gender, gender identity, sexual orientation, religion, economic status, disability, age, or cultural background or based on a person's association with a person or group with one or more of the foregoing actual or perceived characteristics is strictly prohibited. The department will thoroughly investigate complaints of bias-based policing.

### PROCEDURE

#### A. DEFINITIONS

1. **BIAS-BASED POLICING** – The differential treatment of individuals in the context of rendering police service based solely on a classification, such as race, ethnic background, nationality, gender, gender identity, sexual orientation, religion, economic status, disability, age, or cultural background or based on a person's association with a person or group with one or more of the foregoing actual or perceived characteristics. Bias-based policing may also be defined as a police action based on an assumption or belief that any of the aforementioned classifications have a tendency to participate or engage in criminal behavior.
2. **RACIAL PROFILING** – The practice of detaining a suspect based on a broad set of criteria that casts suspicion on an entire class of people without any individualized suspicion of the particular person being stopped. (Penal Code 13519.4(e)).

#### B. GENERAL

1. Bias-based policing and the practice of racial profiling will not be tolerated by this Department.
2. While the practice of "racial profiling" is strictly prohibited, it is recognized that race or ethnicity may be legitimately considered by an officer in combination with other legitimate factors to establish probable cause or reasonable suspicion (e.g., suspect description is limited to a specific race or group).
3. Officers must be able to articulate specific facts, circumstances, and conclusions that support probable cause or reasonable suspicion for any non-consensual detention and/or search or seizure, as applicable.
4. During a contact, misunderstandings may occur from an officer's failure to explain why contact was made. The officer should inform the detainee of the reason for the contact if it will not compromise the safety of officers or other persons or an investigation.
5. Nothing in this order shall limit an officer's ability to interview witnesses or discourage routine conversations or consensual contacts with citizens.
6. Any employee of the Sacramento Police Department who has knowledge of, or has any information about, conduct that would amount to a violation of this order shall report that information as directed in GO 220.05 (Disciplinary Actions).

#### C. SUPERVISOR RESPONSIBILITIES

Supervisors are responsible for monitoring and examining all areas of police actions and activities under



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their command to ensure that employees comply with this General Order and to ensure that bias-based policing and racial profiling are not practiced.

## D. TRAINING

1. All new officers will receive initial cultural diversity and awareness training at the basic recruit training academy.
2. Training regarding bias-based policing, cultural diversity, interaction with citizens, policy, ethics, legal requirements, and related topics will be integrated into the field training program for all new officers.
3. The Sacramento Police Department will engage in periodic and ongoing training on the subject of bias-based policing in accordance with state law and P.O.S.T.'s Continuing Professional Training requirements and in keeping with the values and high professional standards of the Department.
4. The Professional Standards Unit will ensure all Departmental policies, in conjunction with federal, state and local laws related to racial profiling, are properly disseminated to all employees.

## E. COMPLAINTS

All reports or complaints of bias-based policing or racial profiling will be documented and investigated in accordance with the provisions of this General Order and the Internal Investigations Manual (RM 220.01).

## F. ADMINISTRATIVE REVIEW

The Captain, OOC, or designee, shall conduct an annual administrative review of citizen complaints and concerns relating to the Department's bias-based policing policy to ensure officers are properly and professionally conducting stops and citizen contacts.