



PAWNEE COUNTY SHERIFF'S OFFICE
SHERIFF DARRIN VARNELL

Policy # Biased Based Policing	Related Policies: Stops, Search & Arrest; Motor Vehicle Contacts;
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by The Pawnee County Sheriff's Office for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Oklahoma Statutes §22-34.3 . Racial profiling prohibited	
CALEA Standard: 1.2.9; 32.2.1; 32.2.7; 32.2.8	

I. Purpose: The purpose of this policy is to require that all agency members conduct policing in a fair and impartial manner, to clarify the circumstances in which Deputies can consider personal characteristics, or immigration status, when making law enforcement decisions and to reinforce processes and procedures that enable us to provide services and enforce laws in an equitable and impartial way, to prohibit the use of race, ethnicity, gender, or national origin as a reason to restrict liberty, or exercise any other police power upon an individual, except in those cases where one of the classifications above is a descriptive factor concerning a suspect.

Because partnership with community residents is the most effective way to ensure public safety, maintaining the public's trust is a primary concern. To secure this trust personal characteristics should have no adverse bearing on an individual's treatment in agency custody.

II. Policy: The policy of The Pawnee County Sheriff's Office is to respect the rights of all persons who Deputies come into contact with during any law enforcement operation.

III. Definitions:

- A. "racial profiling" means the detention, interdiction or other disparate treatment of an individual solely on the basis of the racial or ethnic status of such individual.
- B. "Personal characteristics": May include but is not limited to actual or perceived identity, race, ethnicity, national origin, color, gender, sexual orientation, gender identity, marital status, mental or physical disability, age, religion and socio-economic status.

IV. Procedure:

- A. All contacts made by members of The Pawnee County Sheriff's Office with any person must meet the requirements of the United States and Oklahoma Constitutions.**
- B.** As required by law, all enforcement actions by law enforcement Deputies, such as investigation, detentions, traffic stops, arrests, searches and seizures, etc. must be based on reasonable suspicion, probable cause or other or relevant exigent circumstances, supported by articulable facts, circumstances, and conclusions that support the given action.
- C.** Deputies of The Pawnee County Sheriff's Office may take into account reported race, ethnicity or other personal characteristics of persons based on credible, reliable, locally relevant, specific information that links a person of specific description to particular criminal incidents and is combined with other identifying information.
- D. Preventing Perception of Bias:**
 - a.** Deputies should act with courtesy and professionalism on all stops and contacts.
 - b.** At the outset of a contact, where feasible, Deputies should introduce themselves and inform the person of the reason for the stop. This introduction is not required where the introduction would compromise the safety of the Deputy or any other person.
 - c.** Deputies should continue the contact for only that time which is necessary to meet the objectives of that which justified the stop to begin with. i.e. if the stop is for a traffic violation, Deputies should not prolong the stop beyond the time it takes to write a citation. Where reasonable delays occur, the Deputy should keep the person informed of the reason for the delay.
 - d.** Deputies should answer questions posed by the persons stopped to the extent that is possible.
 - e.** Provide his or her name and identification number when requested.
- E. Complaints regarding bias:** All complaints regarding bias, as defined by this policy shall be handled in accordance with the Citizen Complaints and Administrative Investigations Policy of The Pawnee County Sheriff's Office.
- F.** The Sheriff's Office shall conduct training for all personnel on this policy.