

# Racial Profiling Update

## Purpose

The purpose of this course is to define racial profiling, apply the law to situations that may or may not involve racial profiling, and provide the student with updated techniques and skills to effectively perform their duties as patrol officers. Students will also examine the history of racial profiling as it relates to law enforcement, develop practices to identify and avoid racial profiling situations, and examine how racial profiling affects diverse communities.

## Learning Outcomes

Students who complete this course will be able to examine patrol practices, identify when racial profiling is occurring and deploy techniques to avoid such practices. In addition, students will have an understanding of the history of racial profiling and deploy techniques to better police diverse communities.

## Expanded Course Outline

### Registration, Introduction, Course Overview

- I. Registration
  - A. POST Roster
  
- II. Introductions and Course Overview
  - A. Instructors
  - B. Course Overview
    1. Defining Racial Profiling
    2. Framework for discussions
  
- III. Why are we here?
  - A. Senate Bill 1102- Modification to Penal Code Section 13519.4
  - B. Video: Why racial profiling is receiving attention (Media, politicians, public)
    1. Discussion: How has racial profiling topic affected the way you do your job?
    2. Discuss profiling behavior and characteristics vs. race

## B. Defining Racial Profiling (video)

1. Student's definition- (Read several responses-anonymous)
2. Instructor/POST definition of racial profiling (The practice of detaining a suspect based on a broad set of criteria which casts suspicion on an entire class of people without any individualized suspicion of the particular person being stopped.
3. Racism and racial profiling are not the same (Actions of some should not cast suspicion on all)

## VI. Legal Consideration-Video

### A. Discussion 4<sup>th</sup> and 14<sup>th</sup> Amendment

1. 4<sup>th</sup> Amendment- right to be secure in their persons, houses, papers, and effects against unreasonable search and seizures. Reasonable suspicion or probable cause to stop or detain. Suspicion must be individualized
2. 14<sup>th</sup> Amendment: Equal application of the law. Individualized suspicion not based on race unless race was specific descriptor.
3. Individualized suspicion (Bullseye Exercise)

### B. Discussion Whren vs. United States

1. Pretext stops: based on violation of the law or reasonable suspicion. Violation not motivation for stop.
2. Stop can be legal under the 4<sup>th</sup> Amendment but violate the 14<sup>th</sup> Amendment.

### C. Updates on Changes in Law and Practices

1. California and Federal Laws handout

### D. Videos Scenarios 1,2,3- Applying the law (Amendments 4 and 14<sup>th</sup>)

1. Scenario 1: What did we see? Was the stop legal? Did the stop constitute racial profiling?
2. Applying the law to Case Study (Exercise for students to devise an action plan based on information in the handout).
3. Identify which actions could be identified as racial profiling in the case study. Any time race tips the scale for the decision to take enforcement action, it is racial profiling.

### E. Case study handout

1. Discussion: What actions could lead to racial profiling
2. Community perspective: how community members perceive increased enforcement.
3. Discuss individualized targeting (red, yellow, green zones)

## VII. History of Civil Rights

A. Focus on events that have adversely affected relationships between law enforcement and the minority communities in the past- (Video: "History of Civil Rights")

1. Discussion what impact does history have on own agency today.
2. What are our responsibilities
3. What can we do to increase trust?

B. Community Considerations

1. What can law enforcement do to improve partnerships with the community
2. Factors to consider in the neighborhoods law enforcement serves

## VIII. Ethical Considerations

A. Mandating discussion

## IX. Closing

A. Impact of racial profiling

1. Officer
2. Agency
3. Community
4. Law enforcement profession