

Racial or Bias-Based Profiling

400.1 PURPOSE AND SCOPE

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

400.2 POLICY

The Yolo County Probation Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this Department to provide law enforcement services equally, fairly and without discrimination toward any individual or group.

Race, ethnicity, national origin, religion, sex, sexual orientation, economic status, age, cultural group, disability, marital status, military or veteran status, gender identity, gender expression or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law.

400.3 RACIAL OR BIAS-BASED PROFILING PROHIBITED

The practice of racial/bias-based profiling is illegal and will not be tolerated by the Yolo County Probation Department. (Pen. Code §13519.4(f).)

- (a) It is the responsibility of every employee of this Department to prevent, report, and respond appropriately to discriminatory or biased practices.
- (b) Every employee of this Department engaging in a non-consensual detention shall be prepared to articulate sufficient reasonable suspicion to justify the detention independent of the detainee's membership in a protected class.
 1. To the extent that written documentation would otherwise be completed (e.g., arrest report, F.I. card, etc.), the involved officer should include those facts giving rise to the officer's reasonable suspicion or probable cause for the contact.
 2. Nothing in this policy shall require any officer to prepare documentation of a contact that would not otherwise involve such reporting.
 3. While the practice of racial profiling is strictly prohibited, it is recognized that race or ethnicity may be considered by an officer in combination with other available information to establish reasonable suspicion or probable cause (e.g., suspect description is limited to a specific race or group).

The Yolo County Probation Department will investigate all complaints of alleged racial/bias-based profiling against its employees. Employees found to be in violation may be subject to discipline up to and including termination in accordance with this Department's policies.

Racial or Bias-Based Profiling

400.3.1 CALIFORNIA RELIGIOUS FREEDOM ACT

Employees shall not collect information from a person based on that person's religious belief, practices, affiliation, national origin or ethnicity except as permitted under state or federal law. (Gov. Code § 8310.3 (c).)

Employees shall not assist federal government authorities :

- (a) In compiling personal information about a person's religious belief, practice, affiliation, national origin or ethnicity.
- (b) By investigating, enforcing or assisting with the investigation or enforcement of any requirement that a person register with the federal government based on religious belief, practice, or affiliation, or national origin or ethnicity. (Govt. Code § 8310.3 (b) (1).)

400.4 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Chief Probation Officer or authorized designee shall ensure that all data required by the Department of Justice (DOJ) regarding citizen complaints of racial bias against officers is collected and reported annually to DOJ. (Pen. Code §§ 13012 13020.)