

## **Bias-Based Policing**

### **401.1 PURPOSE AND SCOPE**

This policy provides guidance to office members that affirms the Nobles County Sheriff's Office's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the office's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

### **401.2 POLICY**

The Nobles County Sheriff's Office 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 office to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group (Minn. Stat. § 626.8471, Subd. 3).

#### **401.2.1 IMPROPER CONDUCT**

Race, ethnicity or nationality, religion, gender, sexual orientation, economic status, age, cultural group, disability, or affiliation with any other similar identifiable group shall not be utilized as the basis for providing differing levels of law enforcement service or the enforcement of the law (Minn. Stat. § 626.8471 Subd. 3).

Deputies may take into account the descriptors delineated above of a specific suspect(s) based on information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals. This information may be used in the same manner officers use specific information regarding age, height, weight, etc. about specific suspects.

### **401.3 BIAS-BASED POLICING PROHIBITED**

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit a deputy from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

### **401.4 MEMBER RESPONSIBILITIES**

Every member of this office shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

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### **401.5 SUPERVISOR RESPONSIBILITIES**

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved deputy and his/her supervisor in a timely manner.
  - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between deputies and the public to ensure compliance with this policy.
  - 1. Supervisors should document these periodic reviews.
  - 2. Recordings that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this office who discloses information concerning bias-based policing.

#### **401.5.1 CORRECTIVE ACTION**

Employees found to be in violation of this policy are subject to discipline in accordance with this office's Conduct Policy and shall receive additional training and instruction, except when disciplinary action results in termination.