

PINEVILLE POLICE DEPARTMENT

GENERAL ORDER

SECTION 4: RULES AND CONDUCT

SUBJECT: 406 RACIAL PROFILING

EFFECTIVE: 01/01/2019

I. Purpose

The purpose of this regulation is to establish the Department's policy prohibiting bias based profiling as required by Louisiana Revised Statute, 32:398.10.

II. Definitions

Biased Based Profiling – Targeting and/or selecting individuals for enforcement action based solely on a common trait of a group, a personal bias, or prejudice. This includes, but is not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group, characteristic or trait.

Enforcement Action – Motor vehicle traffic stop, pedestrian stop, search of a person and/or his or her vehicle or personal possessions and property, asset seizure/forfeiture, detention and arrest, including citations.

Reasonable Suspicion – Suspicion that is more than a mere hunch, but is justifiable of facts and circumstances that would warrant a person of reasonable caution in believing that an infraction of the law has been committed, is about to be committed, or is in the process of being committed, by the person or persons under suspicion. This can be based on the observations of a police officer combined with his/her training and experience, or reliable information the officer has received. The information need not be as convincing as information which would create “probable cause” for an arrest.

Probable Cause – Also known as “reasonable cause.” That set of facts and/or circumstances known to the officer, and of which he has reasonable trustworthy information, are sufficient in themselves to cause a police officer of reasonable prudence and caution to believe that the person arrested has committed or is committing an offense. It is more than mere suspicion, yet less than actual proof. Probable cause depends on probabilities, not certainties. It must appear to the officer that it is a least more probable than not that a crime has taken place, and that the one detained or arrested is the perpetrator. Some ways in which probable cause may exist are:

1. The officer's observations of the offender's activities
2. A police radio transmission describing the offender
3. A report by a victim or witness such as a description of the offender of his/her vehicle.
4. Information from a reliable informant along with corroborating information.
5. Evidence gathered by the officer during the course of his/her investigation; this includes physical as well as circumstantial evidence.

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Note: This department holds its employees to the highest standards of professional conduct ensuring all citizens are treated fairly, with respect and in accordance with constitutional principles and laws.

III. Policy

It is the policy of this Police Department to engage in proactive enforcement activities, to aggressively investigate suspicious persons and circumstances, and to actively enforce the motor vehicle laws of the State of Louisiana and this City.

It is further the policy of this Police Department that its members shall base their decisions to stop, detain, arrest, cite, search and seize personal property, or take any other enforcement action, on reasonable suspicion and/or probable cause supported by specific articulated facts that the person contacted regarding their identification, activity or location, has been, is, or about to commit a crime or is currently presenting a threat to the safety of themselves or others. Biased based profiling is prohibited.

IV. Training and Practices

The Department will provide bias based profile training as required by state statute.

Supervisors shall, through consistent oversight, monitor the enforcement activities of subordinates to ensure compliance with this and these related Rules and Regulations. This includes review of traffic citations and other enforcement actions on a daily basis and the occasional direct observation of personnel engaged in field enforcement activities (traffic or pedestrian stop).

The Department will, through its established administrative programs, review its practices annually to ensure continued compliance with principles and requirements of this and related policy.

By order of

Darrell Basco
Chief of Police