



*S.F. Bay Area Rapid Transit District Police Department*

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3700-23287-23

Racial Profiling Update

**II. Racial Profiling Defined**

A. Student Exercise

1. Have student write first thing they think of about racial profiling
2. Acknowledge there is a lot of confusion about the subject
3. Differentiate racial profiling from racism

B. Provide Students with an analysis of need for laws defining subject

1. California Specific – SB 1102 and PC 13519.4
2. Federal Laws – Bill of Rights, due process
3. Review relevant case law

**III. Legal Considerations**

A. Legal and ethical exercise - Provide Scenario to individuals

1. Discuss student responses
2. Explain how a stop can be legal under the 4<sup>th</sup> Amendment and still violate the 14<sup>th</sup> Amendment
3. Lawful application of your discretion
4. Alternative actions or patrol plans

B. Legal and ethical exercise - Provide Scenario to groups of 4

1. Discuss student responses
2. Lawful application of your discretion
3. Alternative actions or patrol plans

**IV. Impact of Racial Profiling**

A. Negative impacts and effects

1. Individual citizen
2. Collective impact on community, group

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3. Residual impact on officer
  - a. Affects credibility
  - b. Can impede criminal investigations due to lack of individual cooperation
4. Impact on agency
  - a. Affects credibility
  - b. Can impede criminal investigations due to lack of community support and assistance
5. Impact on Law Enforcement and Criminal Justice System
  - a. Credibility issues
  - b. Jurors whose personal history may include bias-based experiences

B. Community Considerations

1. Shared beliefs
2. Community values and ways of thinking
3. Behaviors, customs, and traditions

**IV. Ethical Considerations**

- A. Law Enforcement Responsibilities
  1. Profiling is counter to the ethical policing model
  2. PC 13519.4 – Duty to prevent, report, and respond
  3. Change in perception will not happen with policy, but as a result of the actions of individual officers

**V. Conclusion**

- A. Provide a review
- B. Allow time for questions and answer