**ORLEANS COUNTY SHERIFF’S OFFICE**

**GENERAL ORDER**

**SUBJECT: BIAS-BASED PROFILING**

**STANDARD: 14.1**

**GO# 129**

**EFFECTIVE DATE: 08/10/2017**

**SHERIFF: CHRISTOPHER M. BOURKE**

**AMENDED DATE: 06/30/2020**

1. **POLICY:**

It is the policy of the Orleans County Sheriff’s Office that all members will not affect a stop, detention, or search of any person which is motivated by race, color, ethnicity, age, gender or sexual orientation. Furthermore, any action(s) by a member of this office that would constitute a violation of anyone’s Civil Rights is strictly prohibited.

1. **PURPOSE:**

The purpose of this General Order is to explicitly state that racial and ethnic profiling by members of the Orleans County Sheriff’s Office is strictly prohibited. In addition, it also seeks to establish policy regarding racial profiling.

1. **PROCEDURE:**
2. Definitions
3. Racial Profiling- This is the detention, interdiction, or other disparate treatment of an individual on the basis of the ethic status of an individual or group.
4. Stop- This means the restraining of an individual’s liberty by physical force or a show of authority.
5. Detention- This means an act of stopping, or restraining an individual’s freedom to walk away.
6. Search- This means looking for or seeking out that which is otherwise concealed from view.
7. Racial Profiling/Discriminating Practices
8. Racial profiling of any person(s) is strictly prohibited.
9. In the absence of a specific report, the race or ethnicity of an individual will not be a factor in determining the existence of probable cause to place someone in custody, nor will is constitute reasonable/articulate suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigatory stop of a motor vehicle.
10. In response to a specific credible report of criminal activity, the race or ethnicity of an individual will not be the sole factor in determining the existence of probable cause to arrest an individual.
11. No member shall stop, detain or search any person when such action is motivated by race, color, ethnicity, age, gender, sexual orientation, or other prejudicial bias.
12. Authority and Responsibility
13. Each supervisor will be responsible for continually monitoring and examining areas of police actions and activities under his/her purview to ensure the regulations of this General Order are being followed and to discover, if any, indications of racial profiling or discriminatory practices.
14. Any member who witnesses or is aware of a violation of this General Order, shall immediately notify their supervisor.
15. All reports or complaints of discriminatory practices or racial profiling will be documented and investigated in according with G.O #112, Allegations of Misconduct.
16. Training
17. Any new or available training on profiling/discrimination shall be reviewed for possible implementation by the Chief Deputy, Undersheriff and/or Sheriff.
18. Additional diversity and sensitivity training shall be designated for officers with sustained racial profiling or other sustained discrimination complaints that are filed against them.

BY ORDER OF THE SHERIFF

