

	GENERAL ORDER	Date of Issue 05-01-2006	Effective Date 05-01-2006	Number 06-02
	SUBJEC: PROHIBITED RACIAL PROFILING AND COMMITMENT TO UNBIASED LAW ENFORCEMENT CONDUCT			
REFERENCE:		RESCINDS:		DISTRIBUTION: All Employees

I. PURPOSE:

To emphasize this agency's commitment to unbiased, equitable treatment of all persons in enforcing state law and providing law enforcement services.

II. AUTHORITY:

On the authority of the Sheriff.

III. POLICY:

1. It is the policy of the Wyandotte County Sheriff's Office to treat all persons having contact with this agency in a fair, equitable, and objective manner, in accordance with law, and without consideration of their race, ethnicity, national origin, gender, religion, religious dress or other individual characteristics.
2. All commissioned employees of the Wyandotte County Sheriff's Office shall be prohibited from engaging in "Racial Profiling", as that term is defined at paragraph 3 herein.
3. Definitions:
 - A. "Racial Profiling" means the practice of a law enforcement officer or agency relying, as the sole factor, on race, ethnicity, national origin, gender or religious dress in selecting which individuals to subject to routine investigatory activities, or in deciding upon the scope and substance of law enforcement activity following the initial routine investigatory activity. Racial profiling does not include reliance on such criteria in combination with other identifying factors when the law enforcement officer or agency is seeking to apprehend a specific suspect whose race, ethnicity, national origin, gender or religious dress is part of the description of the suspect.

- B. “Routine Investigatory Activities” includes, but is not limited to, the following activities conducted by law enforcement officers and agencies in conjunction with traffic stops: (1) Frisks and other types of body searches, and (2) consensual or nonconsensual searches of persons or possessions, including vehicles, dormitory rooms, school lockers, homes and apartments.
 - C. “Law Enforcement Officer” has the meaning ascribed thereto in K.S.A. 74-5602 and amendments thereto.
 - D. “Law Enforcement Agency” means the governmental unit employing the law enforcement officer.
 - E. “Governmental Unit” means the state of any county, city or other political subdivision thereof, or any department, division, board or other agency of any of the foregoing.
- 4. All commissioned employees of the Wyandotte County Sheriff’s Office shall be required to attend annual education training which shall include, but not be limited to, an understanding of the historical and cultural systems that perpetuate racial profiling, assistance in identifying racial profiling practices and providing officers with self-evaluation strategies to preempt racial profiling prior to stopping a citizen.
 - 5. If, upon completion of an appropriate investigation by the agency, it is determined that a commissioned employee of the Wyandotte County Sheriff’s Office has directly violated the Wyandotte County Sheriff’s Office Policy Prohibiting Racial Profiling and Commitment to Unbiased Law Enforcement Conduct the Wyandotte County Sheriff’s Office shall initiate appropriate disciplinary action consistent with applicable laws, rules and regulations, or policies with penalties, including demerits, suspensions or termination of the employment of the commissioned employee from the Wyandotte County Sheriff’s Office.
 - 6. The Wyandotte County Sheriff’s Office shall engage in ongoing efforts to notify the public of the existence of this policy and shall endeavor to make the public aware of each individual’s right to file a complaint with the Wyandotte County Sheriff’s Office or the Kansas Human Right’s Commission regarding incidents of alleged Racial Profiling.
 - 7. The Wyandotte County Sheriff’s Office shall engage in ongoing efforts to notify the public of the process for making a complaint to the Wyandotte County Sheriff’s Office on incidents of Racial Profiling alleged to have been committed by commissioned employees of the Wyandotte County Sheriff’s Office or the Wyandotte County Sheriff’s Office as a whole.

Such complaints may be made by delivering a written statement, signed by the complaining party or parties to the Sheriff or by utilizing the complaint process in effect for all other complaints against the agency which is found in the Unified Government Human Resources Guide or by contacting the Unified Government's County Administrator's Office.

8. Law Enforcement Agencies for Cities of the First Class: Shall establish an independent citizen advisory board (or utilize a current independent citizen advisory board) which will include participants who reflect the racial and ethnic community, to advise and assist in policy development, education and community outreach and communications related to racial profiling by law enforcement officers and agencies.

IV. DEVIATION:

Any deviation from this policy may result in disciplinary action up to and including termination.