

# BART Police Department Racial Profiling Update July, 2019

## Racial Profiling Update P.O.S.T. CPT Program

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### BART Police Department

#### Instructional Staff to Student Ratio:

The instructor shall establish an appropriate staff-to-student ratio to ensure the maximum level of observation, safety and instruction. The consideration for setting the ratio shall be intensity of the instruction. The following is a suggested guideline:

Instructor / Lecture	1 instructor per 24 students maximum
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#### **Course Objective:**

This course will provide students with an understanding of what racial profiling is and the negative impact it can have, not only on the individual targeted, but also the entire community. The practice of racial profiling or bias-based policing can compromise public trust. Students will learn that stereotyping of any group of people can lead to racial profiling or bias-based policing practices. Finally, students will be exposed to real-life examples designed to enhance their ability to critically analyze their own beliefs and distinguish between when race is a legitimate factor in identifying a suspect and when it is not.

### I. Legal Update

- A. POST Roster and Introduction
  - 1. Instructor Training and Qualification
  
- B. Review BPD Lexipol Racial Profiling Policy
  - 1. Discussion of policy issues
  - 2. Discussion of recent incidents
  - 3. Explain background of legislation and course

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## **C. Review of Core Values**

1. Diversity
2. Accountability
3. Integrity
4. Professionalism
5. Security

## **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

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## **IV. Impact of Racial Profiling**

- A. Negative impacts and effects
  - 1. Individual citizen
  - 2. Collective impact on community, group
  - 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