

# **MODEL POLICY PROHIBITING RACIAL PROFILING**

Pursuant to KRS 15A.195

## **POLICY**

The protection of, and the preservation of the constitutional and civil rights of individuals remains one of the paramount concerns of government, and law enforcement in particular. To safeguard these rights, law enforcement personnel shall not engage in any behavior or activity that constitutes racial profiling. The decision of an officer to make a stop or detain an individual, or conduct a search, shall not be solely motivated by consideration of race, color, or ethnicity. Stops, detentions, or searches shall be based on articulable reasonable suspicions, observed violations of law or probable cause, and shall comply with accepted constitutional and legal provisions, and with the Code and Canon of Ethics adopted by the Kentucky Law Enforcement Council through Peace Officer Professional Standards.

## **Definitions**

For purposes of this policy:

“Racial Profiling” means a process that motivates the initiation of a stop, detention, or search which is solely motivated by consideration of an individual’s actual or perceived race, color, or ethnicity, or making discretionary decisions during the execution of law enforcement duties based on the above stated considerations. Nothing shall preclude an officer from relying on an individual's actual or perceived race, color, or ethnicity as an element in the identification of a suspect or in the investigation of a crime, a possible crime or violation of law or statute.

## **Training**

All officers shall complete the Kentucky Law Enforcement Council approved training related to racial profiling. Such training shall comply with Federal Law, state statutory provisions, case law and other applicable laws, regulations, and established rules.

## **Discipline**

An officer who violates a provision of this policy shall be subject to the agency's disciplinary procedures, which shall be consistent with other penalties imposed for similar officer misconduct.