

## RENO POLICE DEPARTMENT GENERAL ORDER

This directive is for internal use only and does not enlarge this department's, governmental entity's and/or any of this department's employees' civil or criminal liability in any way. It is not to be construed as the creation of a specific standard of safety or care in an evidentiary sense, with respect to any complaint, demand for settlement, or any other form of grievance or litigation. Violations of this directive, if substantiated, can only form the basis for intra-departmental administrative sanctions.

Chief of Police: Jason Soto /s/		
Approving Deputy Chief: Tom Robinson /s/		
General Order No. T-450-17	Issued: September 16, 2004	Revised: March 02, 2017
General Order Title: <b>IMPARTIAL POLICING</b>		

### **POLICY**

Members of minority communities are often fearful of police contact and reluctant to report crime because of negative experiences with law enforcement. The Reno Police Department values positive relationships with every segment of our community.

It is the policy of the Reno Police Department to treat everyone in accordance with our Core Values, regardless of one's actual or perceived citizenship status. This does not preclude employees from investigating suspicious or criminal behavior as allowed by local, state and federal laws.

The Reno Police Department does not condone racial and/or biased-based profiling of any group by personnel and prohibits any policy, procedure, or practice that constitutes racial profiling and/or biased-based profiling, or any activity that results in racial and/or biased-based profiling of any person for the purposes of providing services or conducting stops or investigations.

Investigative detentions, traffic stops, arrests, searches and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution and will never be based solely on one's race, color, religion, age, national origin, ethnicity, gender, sexual orientation, disability, economic status or citizenship.

### **DEFINITIONS**

**Bias-Based Profiling** – Reliance by a peace officer upon the race, color, religion, age, national origin, ethnicity, gender, sexual orientation, disability, economic status and/ or citizenship of a person, and that is the only factor the peace officer considers when deciding to initiate any type of action.

**Racial Profiling** (see NRS 289.820) Means reliance by a peace officer upon the race, ethnicity, or national origin of a person as a factor in initiating action when the race, ethnicity, or national origin of a person is not part of a specific description of a specific suspect for a specific crime.

## **PROCEDURES**

### **Impartial Policing**

1. Except as provided below, officers shall not rely exclusively on race, color, religion, age, national origin, ethnicity, gender, sexual orientation, disability, economic status and/ or citizenship when establishing either reasonable suspicion or probable cause. Similarly, except as provided below, officers shall not consider race, color, religion, age, national origin, ethnicity, gender, sexual orientation, disability, economic status and/or citizenship in deciding whether to request consent to search or to initiate non-consensual encounters that do not rise to the level of arrest.
2. Race, color, religion, age, national origin, ethnicity, gender, sexual orientation, disability, economic status and/or citizenship can never be used as the sole basis for probable cause or reasonable suspicion. Officers may consider the reported race or ethnicity of a specific suspect or suspects based on trustworthy, relevant information that links a person or persons of a specific race/ethnicity to an unlawful incident(s).
3. Except as provided above, race, color, religion, age, national origin, ethnicity, gender, sexual orientation, disability, economic status and/or citizenship shall not be motivating factors in making law enforcement decisions.
4. Officers shall not contact or stop a person merely on suspicion that the person is present in the United States illegally.
5. Officers will not make inquiries into the citizenship status of an individual that has requested police services.
6. Officers shall follow the same procedures when contacting or stopping any person whether the contact occurs with consent, reasonable suspicion or probable cause.
7. If, after a person is legally contacted and the officer reasonably suspects that person is an unauthorized immigrant, the officer may request an ICE agent to respond while the officer completes the original stop. The subject shall not be detained longer than necessary to conduct any investigation necessary to complete the stop/contact.
  - a) If ICE cannot respond within the time necessary for the officer to complete the contact with the subject, the officer shall fill out a field interview card (or citation if appropriate) prior to releasing the subject.
  - b) If the subject is taken into custody for charges unrelated to immigration status, no further action is required. ICE currently runs daily checks of all persons that are booked into the Washoe County Jail.
8. Officers will cooperate and assist ICE with its investigations, in an officer safety capacity, when requested. When ICE requests assistance with immigration operations, approval must be received from the Chief of Police.

9. If during a wants and warrants check, an officer receives an NCIC “hit” on an immigration-related federal warrant, they will need to contact the ICE 24-hour hotline (1-800-sectorX).
  - a) The on-duty agent will determine if they want to take the person into custody or not based on the warrant.
  - b) If they do want to take the person into custody, we will assist them by transporting the subject to the Washoe County Jail. The ICE agent will fax a “request for detention” form to the booking clerk.
  - c) The transporting officer will need to complete an “In-Transit Prisoner” form at intake.
  - d) Although a Probable Cause form is not required, a report detailing the circumstances of the incident will be completed in the Department’s Report Management System.

#### Race-Neutral-Documents and Communication

All-departmental documents and communication will be “race neutral,” stressing the need to eliminate race when it does not apply to the description of a suspect nor have any other pertinence. This includes Tiburon report narratives (race is already listed in the person’s tab), watch log entries, news releases, e-mails, Attempt to Locate Bulletins, information that is posted on the department’s social media accounts and all other interdepartmental documents, including those in digital format.

Supervisors are responsible for reviewing all reports and interdepartmental documents to ensure that they are race-neutral.

#### Identifying Persons

When departmental forms ask for identifying information such as race, gender, ethnicity, etc., this information will be obtained from a government issued form of identification (indicating what type of identification is presented) or that such information has been specifically provided by the subject (witness, victim, reporting party, etc.). Employees will not make any conclusions or speculate regarding identifying information.