

I. CATALOG DESCRIPTION:

- A. Department Information:
Division: Criminal Justice
Department: Police Science
Course ID: POLICE 093
Course Title: Racial Profiling
Units: .25
Lecture: 4 Hours
Laboratory: 2 Hours
Prerequisite: POLICE 001
- B. Catalog and Schedule Description:
This course clarifies what constitutes racial profiling, conceptually and legally. Students examine how the civil rights movement redefined the role of law enforcement. It covers the key indices that define culture and show how racial profiling impacts everyone. This course meets the training mandates for 13519.4PC.

II. NUMBER OF TIMES COURSE MAY BE TAKEN FOR CREDIT: One

III. EXPECTED OUTCOMES FOR STUDENTS:

At the conclusion of this course, the student will be able to:

- A. Understand Racial Profiling and its history.
- B. Recognize the negative impact of racial profiling
- C. Clarify the controversies about the issues of racial profiling
- D. Understand the legal considerations of racial profiling.
- E. Understand the history of Civil Rights.
- F. Analyze and respond to the impact of racial profiling
- G. Recognize and respect community cultural differences
- H. Critically evaluate ethical considerations of law enforcements responsibilities to racial profiling.

IV. CONTENT

- A. Racial Profiling is Getting a lot of attention
 - 1. Politicians at State and Federal levels speak out against it
 - 2. Legislation is authored prohibiting it
 - 3. Headlines almost everyday
- B. Racial Profiling Defined
 - 1. Distinguish the effect the racial profiling law will have on police officers
- C. Clarifying the Controversies about the Issues
 - 1. Racial profiling and racism are not the same
 - 2. Members of all racial groups commit crimes
 - 3. You CANNOT make general assumptions about all members of a Minority group based on the actions of some of its members
 - 4. You CANNOT assume all members of a particular group commit a specific crime even if members of that group are associated with that crime
 - a. Terrorism
 - b. Middle Easterners were victims of racial profiling
 - 5. The majority of all groups are law abiding
 - 6. December 1999 Gallup Poll indicates that nationally, 60% of adults perceive racial profiling as widespread
 - 7. Data Collection Issues
 - 8. Perception is reality as far as the effect it has on the public
 - 9. No one group has a monopoly on racial profiling
 - 10. Officers will still be able to do their jobs
- D. Legal Considerations

1. California Specific Laws
 - a. SB1102
 - b. Modified 13519.4 PC
 - c. Law enforcement shall not engage in racial profiling
 - d. Racial profiling is a practice that presents a great danger to the fundamental principles of a democratic society.
 - e. 13519.4 PC duty to Report
 2. Federal Laws
 - a. 14th Amendment
 - b. Requires that in every police encounter: Race, ethnicity, or national origin may not be considered in any fashion or to any degree by law enforcement officers, except when officers are looking for specific suspects identified in part by those criteria
 - c. 4th Amendment
 - d. Case Law
- E. Legal/Ethical Exercise of this discretion is the Key
1. Pretext stops
 2. Consensual searches after stop
- F. Lawfully Applying Your Discretion
- G. Scenarios
- H. Group Discussion
1. The difference between criminal profiling and racial profiling
- I. History of Civil Rights
1. Evolution of Race Relations in America
 2. Nationally
 - a. During WWII
 - b. In the 50's
 3. In California
 - a. Racially restrictive covenants were in existence up to forty years ago
 - b. School segregation of Mexican, Asian, and Native Americans existed until 1947
 - c. Los Angeles Riots – August 1965
 - d. Los Angeles Riots – 1992
- J. Impact of Racial Profiling
1. Racial Profiling has a negative impact on everyone
 - a. Individual Citizen
 - b. Entire community
 - c. Individual officer
 - d. Criminal Justice System
 2. Racial Profiling Does Impact Everyone
- K. Community Considerations
1. Recognizing and respecting the key elements or indices that makes up evolving culture among the residents of a community.
 - a. Shared beliefs
 - b. Values
 - c. Behaviors
 2. Factors to consider to awareness in the neighborhoods you serve
 - a. Eye contact
 - b. Phrases
 - c. Cultural and religious practices
 - d. Dress
 - e. Hair styles (dread locks, shaved heads)
 - f. Vehicle
 - g. Tattoos
 - h. History and language
 3. Law enforcement is a Subculture

- 4. Respect
- L. Ethical Considerations
 - 1. Law Enforcement Responsibilities
- M. Final Discussion
- N. Review
- O. Questions and Answers
- P. Exam and Evaluations

V. METHODS OF INSTRUCTION:

- A. Lecture
- B. Discussion
- C. Scenarios/Applications/Demonstrations
- D. Multi-media/Videos

VI. TYPICAL ASSIGNMENTS:

- A. Scenario
 - 1. A case study will be provided for each student to read, review and analyze. The students are instructed to formulate an action plan, in small groups, then present plan to class for evaluation, discussion and critique.

Example of Scenario:

Over the past six to eight months, there has been a steady increase in drug related activity and crime in the vicinity of 5th and Kyle. This location is in a lower income Latino community. Many community members and organizations have approached the local police/sheriff's department to request their assistance in stopping the criminal activity to make the streets safer for the children. They are also concerned that drug activity is having a negative impact on the businesses in the area. In addition to this, the Chief/Sheriff regularly receives phone calls from political and business leaders demanding that the department "take action" to remedy this problem.

A report distributed to the patrol division indicates that there have been 20 arrests for possession of cocaine in and around the area of 5th and Kyle within the past three months. The ethnicity of the buyers was mixed; however, interviews with those arrested indicate that all but three of them purchased their narcotics from male Hispanics between 20-40 years of age.

Your supervisor has asked you to prepare an enforcement strategy for responding to the community's concerns and requests to "clean up" this area.

Take 5 minutes with your group members and design an action plan. The plan should include, but not be limited to, short-range goals, long-range goals, resources-internal/external, and follow-up.

- B. Participation/Practical Applications
 - 1. Participate in scenarios and practical application exercises/discussions covering the proper information to provide Racial Profiling Information.

VII. EVALUATION(S):

- A. Methods of Evaluation:
 - 1. Final Examination: multiple choice, fill-in and true/false.
Typical exam questions:
 - a. True / False – Racial profiling and racism are not the same.
 - b. Which of the following is a type of police encounter for 4th Amendment purposes: a) Consensual encounters, b) Detentions, c) Arrest, d) Searches and Seizures, e) All of the above
 - 2. Scenarios and Practical applications:

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- a. The facilitator will ask a series of questions that layer the circumstances to assist the students in reaching an understanding of the elements that define racial profiling.
- B. Frequency of Evaluation:
 1. Minimum of one (1) examination.
 2. Demonstrations, scenarios, presentations and applications throughout course.

VIII. TYPICAL TEXT(S):

Current P.O.S.T. (Commission of Peace Officers Standards and Training) approved reference material; Racial Profiling: Issues and Impact, POST.TPS.2002-06b student handout, materials produced by the San Bernardino County Sheriff's Department's Regional Training Center, (materials and guides are regularly updated), and/or materials produced by the San Bernardino County District Attorney's Office.

IX. OTHER SUPPLIES REQUIRED OF STUDENTS: None