



Ban Bias-Based Profiling in New Mexico

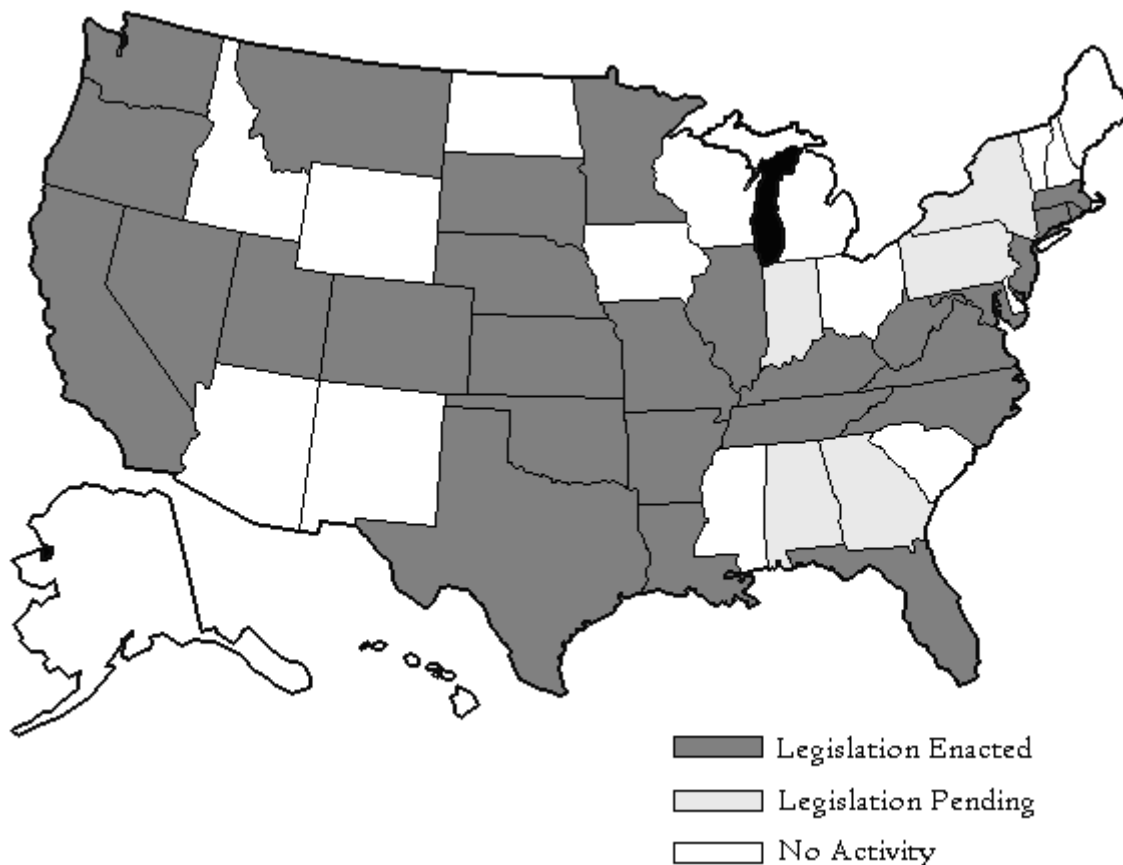
This bill will ban bias-based profiling in New Mexico and make sure that law enforcement agencies implement policies and procedures to prohibit and prevent racial profiling from occurring.

Why is a Bias-Based Profiling Ban Necessary?

Resolving bias-based profiling protects and fosters a true partnership between police departments and the communities they serve. The perception of bias-based profiling hurts law enforcement agencies and community policing efforts. New Mexico has a proud history of multiculturalism; this legislation seeks to protect and foster that spirit of tolerance.

New Mexico will join the growing trend among states to ban bias-based profiling.

22 STATES WITH LEGISLATION BANNING OR INVESTIGATING BIAS-BASED PROFILING



Northeastern University Racial Profiling Data Collection Resource Center, www.racialprofilinganalysis.neu.edu/legislation/

Independent investigations and lawsuits in both Albuquerque and Hobbs have shown evidence of bias-based profiling and local communities are concerned about racial profiling.

Rather than waiting for an expensive and damaging statewide lawsuit or major incident to occur in our state, New Mexico can take a proactive step by banning bias-based profiling, and developing strategies on how to eliminate racial profiling in our communities.

What is Bias-Based Profiling?

The term bias-based profiling is preferred over “racial profiling” to provide a more inclusive definition of individuals who could experience a bias when interacting with law enforcement.

Bias-based profiling usually refers to a police-initiated traffic stop. Bias-based policing may occur in other contexts as well, however, such as customs searches, police-initiated pedestrian stops, DEA activities, and national parks enforcement. More generally, bias-based profiling can be thought of as the inappropriate use of public authority when interacting with minorities.¹

Bias-based profiling includes individuals targeted for noncriminal characteristics such as:

- race ▪ ethnicity ▪ color
- national origin ▪ sex
- gender identity
- sexual orientation
- nationality ▪ language
- religion ▪ political affiliation
- disability
- socioeconomic status

How would the ban be implemented?

- 1) This proposal will officially define and ban bias-based profiling in New Mexico.
- 2) Law enforcement agencies will develop administrative policies and procedures to prohibit and prevent bias-based profiling from occurring.
- 3) Policies developed by agencies will include procedures and strategies to address officers who violate the bias-based profiling ban, including the use of restorative justice to help both the officer and the community reach an understanding and resolution. .
- 4) The bill will also create a formal complaint procedure for people who feel they are victims of bias-based profiling.

Who Supports this Bill?

Legislation addressing bias-based profiling is part of a national, multicultural, and multi-organizational movement.

Local organizations supporting a statewide ban of bias-based profiling include:

The New Mexico NAACP and the Family Justice Campaign which includes:

Santa Fe Branch of the NAACP ~ New Mexico Coalition for Justice
New Mexico Conference of Churches ~ New Mexico Living Wage Network
NM Coalition to Repeal the Death Penalty ~ Drug Policy Alliance New Mexico
New Mexico Department of Peace Initiative ~ New Mexico Voices for Children New Mexico
Voter Services Coalition ~ Somos Un Pueblo Unido

¹ See Deborah Ramirez, Jack McDevitt & Amy Farrel, A Resource Guide on Racial Profiling Data Collection Systems: Promising Practices and Lessons Learned 3 (2000).

For more more information please contact, Drug Policy Alliance at 983-3277
www.improvenewmexico.org or Somos Un Pueblo Unido at 424-7832
www.somosunpueblounido.org