



Ban Bias-Based Profiling in New Mexico

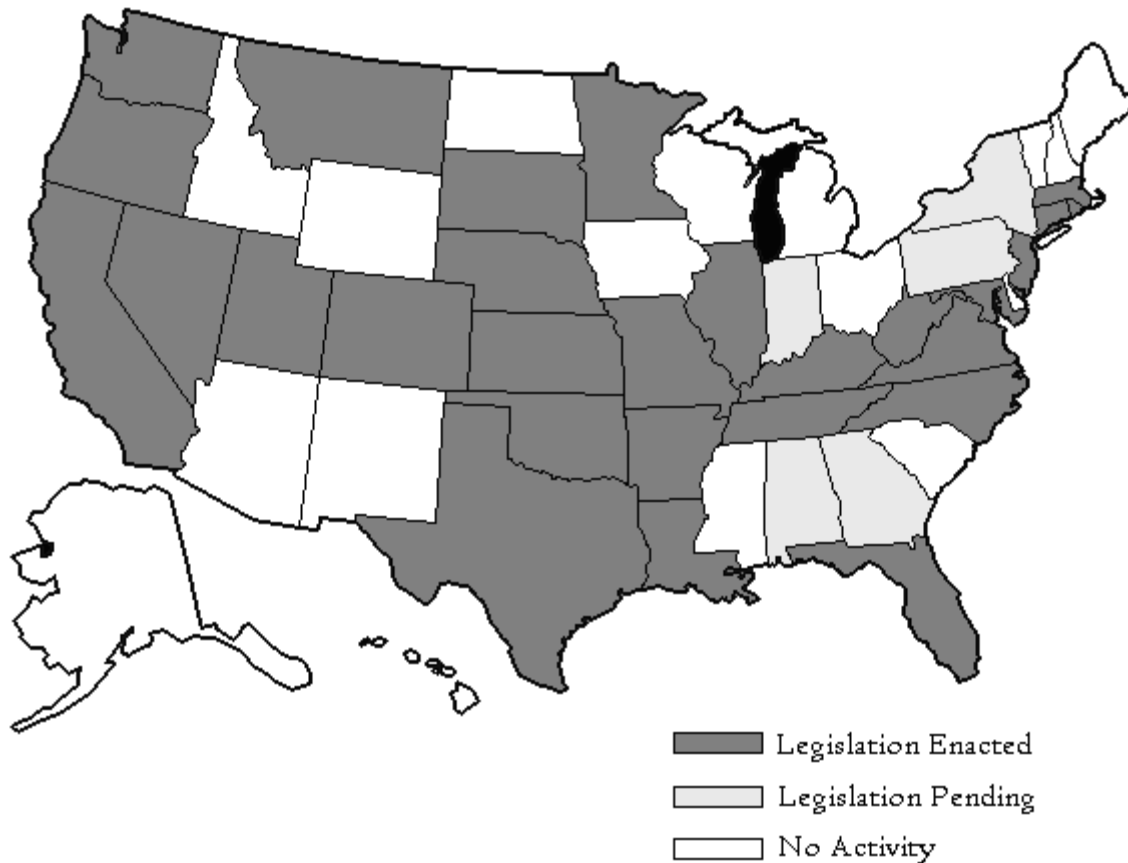
This bill will ban bias-based profiling in New Mexico and make sure that law enforcement agencies implement policies and procedures to prohibit and prevent racial profiling from occurring.

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/

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. Agencies will also implement training protocols for law enforcement officers.
- 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?

31 members of the New Mexico House of Representatives signed-on as cosponsors for this legislation. Legislation addressing bias-based profiling is part of a national, multicultural, and multi-organizational movement.

The New Mexico NAACP, the Family Justice Campaign, and other local organizations support a statewide ban of bias-based profiling. Organizations include:

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
Equality New Mexico ~ ACLU- NM ~ NM Colonias Development Council
League of United Latin American Citizens (LULAC)
Southwest Organizing Project ~ Immigration Committee of the City of Santa Fe
Tewa Women United ~ Honor Our Pueblo Existence (HOPE)

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