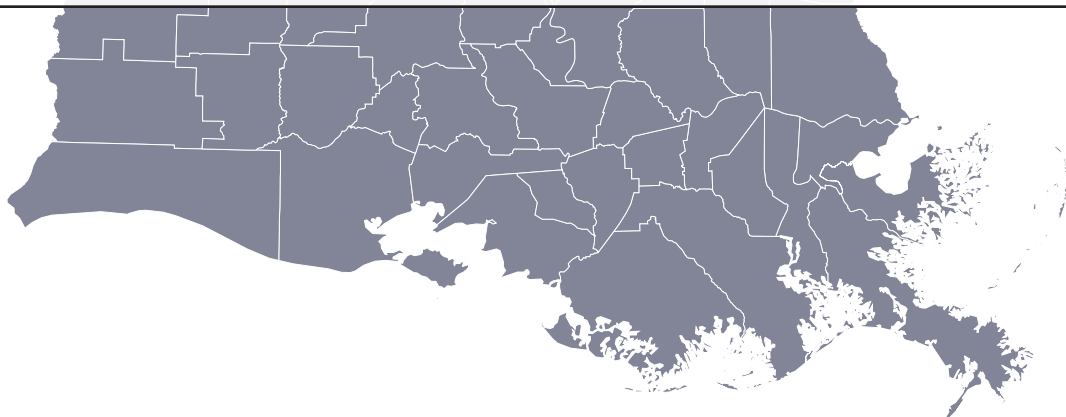
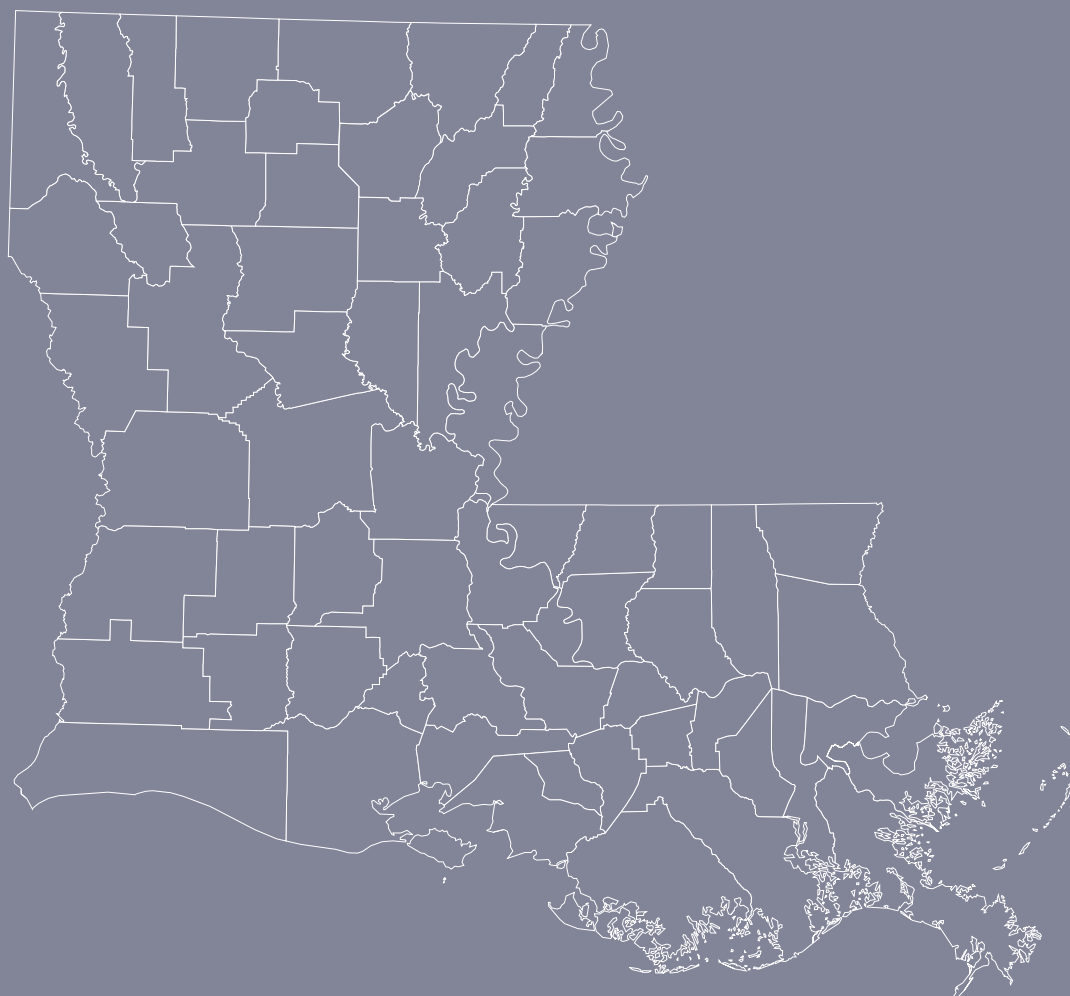


RACIAL PROFILING IN LOUISIANA

UNCONSTITUTIONAL AND COUNTERPRODUCTIVE





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About the Southern Poverty Law Center

The Southern Poverty Law Center, based in Montgomery, Ala., is a nonprofit civil rights organization founded in 1971 and dedicated to fighting hate and bigotry, and to seeking justice for the most vulnerable members of society.

The SPLC has offices in five Southern states, including Louisiana.

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Executive Summary

Racial profiling – the unconstitutional practice of law enforcement targeting individuals due to the color of their skin – remains an egregious and common form of discrimination and continues to taint the legitimacy of policing in the United States. It is both pervasive¹ and hard to prove.² Stopping an individual merely for “driving while black” violates the U.S. and Louisiana constitutions,³ but few cases have been brought in state or federal courts in Louisiana to challenge racially discriminatory policing.⁴ Racial profiling is also problematic from a public safety perspective because it undercuts effective police work by damaging trust in law enforcement.⁵

Racial profiling is likely a major driver of Louisiana’s high incarceration rate. Although Oklahoma has now surpassed Louisiana as the world’s No. 1 incarcerator,⁶ Louisiana remains a close second.⁷ By expanding the pool of people who come under police surveillance, racial profiling leads police to refer a disproportionate number of people of color for criminal prosecution, often for low-level crimes such as drug possession.⁸

Police officers’ disproportionate focus on people of color means that they are disproportionately ticketed, arrested, prosecuted, and ultimately imprisoned. In 2016, for instance, black adults comprised only 30.6% of Louisiana’s adult population but 53.7% of adults who were arrested and 67.5% of adults in prison.⁹ Overall, black adults are 4.3 times as likely as white adults to be serving a felony prison sentence in Louisiana.¹⁰

The SPLC has found large racial disparities in arrest rates across the state that would be difficult to explain by different rates of crime commission alone. For example, in 2016, **black people were 2.9 times as likely as white people** to be arrested for marijuana possession in

Louisiana,¹¹ despite evidence that black people and white people use marijuana at similar rates.¹² The disparities are much greater in some areas: A black person was six times as likely as a white person to be arrested by the Baton Rouge Police Department (BRPD) for marijuana possession in 2016.¹³ Gretna, previously labeled the “arrest capital of the United States” for its sky-high arrest rate,¹⁴ continues to target black people disproportionately for arrests: In 2016, black people comprised two-thirds of people arrested in Gretna but only one-third of the city’s population.¹⁵ And 67% of the arrests of black people in Gretna were for the nonviolent offenses of drug possession (not sale), drunkenness, disorderly conduct, and other offenses that the FBI does not track due to their relatively minor nature.¹⁶

The death of Alton Sterling, a 37-year-old black man, at the hands of two white BRPD officers on July 5, 2016¹⁷ highlighted decades-long tensions in Louisiana’s capital over police treatment of Louisianans of color, especially African Americans. From the department’s crackdown on civil rights marchers in the 1960s,¹⁸ to its illegal searches and arrests in the aftermath of Hurricane Katrina (which raised alarm bells among out-of-state police officers dispatched to the city to assist with public safety),¹⁹ to its militarized response to the protests over Alton Sterling’s death,²⁰ the BRPD has consistently over-policed the city’s black community and violated the First Amendment rights of people who speak out against police brutality. If the BRPD ever hopes to resolve these longstanding tensions and earn the trust and respect of the city’s black residents,²¹ who comprise a majority of its population, combatting racial profiling will be an essential first step.

Notwithstanding the well-known harms of racial profiling in Baton Rouge and across the

Black adults in Louisiana were nearly 3 times as likely as white people to be arrested for marijuana possession in 2016 – and 4.3 times as likely to be serving a felony prison sentence.

state, both for over-policed communities and for public safety more generally, a surprising number of Louisiana police departments do not have policies to address it. The SPLC's investigation revealed that **more than a third of the state's law enforcement agencies lack any policy on racial profiling**. And the policies that do exist usually fail to explain clearly to officers what racial profiling is and what conduct is prohibited.

While the much-needed sentencing reforms Louisiana began implementing in 2017 are projected to reduce the state's prison population by 10% over the next 10 years, resulting in savings of \$262 million,²² none of the reforms focus on

the disproportionate policing of Louisianans of color. Eliminating racial profiling must be a priority if Louisiana wants to shed its status as one of the world's most prolific incarcerators. To address these harms, Louisiana law enforcement agencies must adopt and enforce effective policies against racial profiling and take other steps to ensure constitutional policing. For their parts, the Legislature and the Louisiana Commission on Law Enforcement and Administration of Criminal Justice should institute a host of reforms to curb this unconstitutional and counterproductive practice.

Racial Profiling: An Overview

Racial profiling is a law enforcement officer's reliance – to any degree, whether the officer acknowledges it or not – on race, ethnicity, color, or national origin to choose which people to target for law enforcement action. The *only* exception is that officers may rely on race and ethnicity, in combination with other physical characteristics, to match a person to a credible and specific suspect description for a particular crime. Racial profiling usually takes one of two forms, both of which violate the U.S. Constitution:

UNREASONABLE SUSPICION. When a law enforcement officer conducts a traffic or pedestrian stop based on the belief that a person's race, ethnicity, color, or national origin raises the likelihood that s/he has committed, is committing, or is about to commit a crime (for example, because that person is unlikely to be driving a certain make or model of car or is unlikely to have a valid reason to drive or walk in a certain neighborhood), the officer has formed unreasonable suspicion based on racial or ethnic stereotypes. This stop violates the Fourth Amendment's prohibition against unreasonable seizures by law enforcement. To comply with the Fourth Amendment, the stop must be based on *either* probable cause that the person has committed a civil traffic or pedestrian violation or infraction²³ *or* reasonable suspicion that the person has committed, is committing, or is about to commit a crime.²⁴ The fact that someone of a certain race is driving a certain car or walking in a certain area does not constitute reasonable suspicion. In addition, if someone calls to complain about

black people sitting in a Starbucks or Native American students participating in a college tour, police should not automatically treat the caller's allegations as warranting a response by law enforcement. To justify stopping or arresting someone, police must make their own independent assessment of whether the situation gives rise to reasonable suspicion or probable cause.²⁵

UNEQUAL ENFORCEMENT. When a law enforcement officer observes someone committing a relatively minor violation (e.g., speeding with the flow of traffic, jaywalking, or failing to signal a turn) and stops that person even though the officer would not have stopped a person of a different race or ethnicity committing the same violation, the officer is enforcing the law in an unequal manner. If the officer's true motivation for making the stop was based on the person's race or ethnicity, but the officer makes the stop on the pretext that the person violated a traffic law, this is known as a "pretextual stop." Such stops violate the Fourteenth Amendment's prohibition on intentional discrimination on the basis of race, ethnicity, color, or national origin.²⁶

Officers are permitted to use race or ethnicity, when combined with other physical characteristics such as gender, weight, height, and age, to match someone to a specific suspect description for a particular crime. The suspect description must be credible and based on timely and locally relevant information. This is sometimes called the "be on the lookout for" exception.²⁷

How Does Racial Profiling Undermine Effective Police Work?

Racial profiling thwarts effective police work because it impairs trust between police and the communities they serve. When communities of color believe that they are stopped, searched, and arrested or become subject to uses of force without a valid reason, solving crime becomes

much more difficult. This is because members of these communities may be less willing to report crimes, provide tips to police, or otherwise cooperate with investigations for fear that police will misuse the information or arrest people for low-level crimes.²⁸

State and local law enforcement’s involvement in immigration enforcement likewise erodes immigrant communities’ trust in police. When people fear that the police are more interested in their immigration status than in catching the perpetrators of actual crimes, police will have a hard time securing tips and other cooperation from community members.²⁹ Precisely because of the negative impact on trust between police and communities, national police leaders have denounced racial profiling and the involvement of state

and local police in immigration enforcement as counterproductive.³⁰ Further, unless a police department has an official agreement with U.S. Immigration and Customs Enforcement that deputizes the department’s officers to enforce federal immigration law, an officer violates the Fourth Amendment when s/he prolongs a traffic stop solely for the purpose of inquiring about someone’s immigration status. Such inquiries could open the officer and his department to lawsuits and civil damages.³¹

Racial Profiling in Louisiana

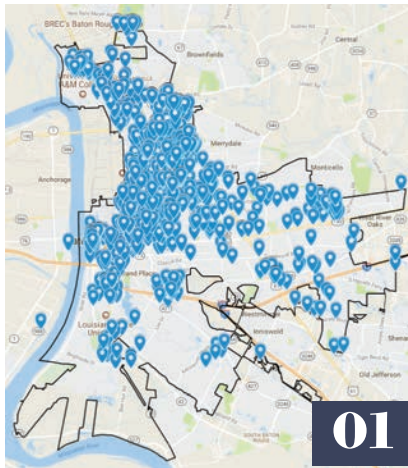
Although data on policing in Louisiana are sparse, available data and reporting strongly suggest that Louisiana law enforcement officers disproportionately target people of color in traffic stops and arrests³²:

➔ In 2016, **black people were 2.9 times as likely as white people** to be arrested for marijuana possession in Louisiana, according to the SPLC’s analysis of arrest data that law enforcement agencies submitted to the FBI.³³ Yet federal

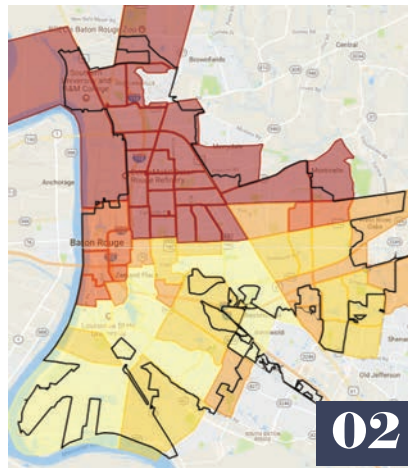
survey data show that white and black people use marijuana at similar rates; indeed, **black adults are less likely than white adults to use marijuana in the course of their lifetimes**,³⁴ and adults account for the vast majority of the reported arrests.³⁵ The table below summarizes the black-white disparities in arrest rates for marijuana possession among the 10 agencies that reported the most marijuana possession arrests in 2016.³⁶ For example, a black person was six

This chart shows the stark racial disparities in arrests for marijuana possession by the 10 Louisiana agencies that arrested the most people for

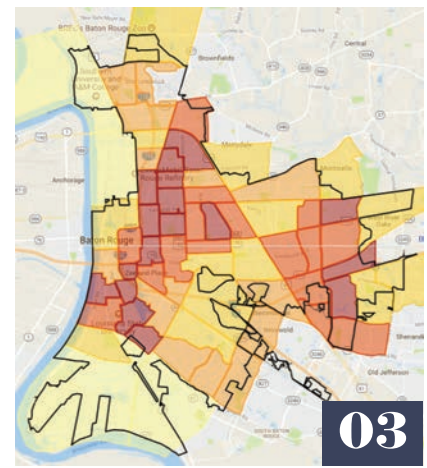
AGENCY <i>The 10 agencies that reported the highest number of arrests for marijuana possession in 2016</i>	RACIAL DISPARITY <i>A black person was X times as likely as a white person to be arrested by this agency for marijuana possession in 2016.</i>
Baton Rouge Police Department	6.0
Gretna Police Department	4.7
East Baton Rouge Parish Sheriff’s Office	3.9
Calcasieu Parish Sheriff’s Office	3.5
Bossier City Police Department	3.4
St. Tammany Parish Sheriff’s Office	3.2
New Orleans Police Department	2.6
Rapides Parish Sheriff’s Office	2.5
Shreveport Police Department	2.3
Ouachita Parish Sheriff’s Office	2.1



01



02



03

times as likely as a white person to be arrested by the Baton Rouge Police Department for marijuana possession in 2016.³⁷

➤ Gretna has been dubbed the “arrest capital of the United States” for featuring the highest per-capita arrest rate in the country as of 2013, at one arrest for every three residents.³⁸ Black people comprised two-thirds of those arrested despite making up only one-third of Gretna’s population.³⁹ By 2016, according to the SPLC’s analysis of data reported to the FBI, the city had halved its arrest rate; however, **black people still comprised two-thirds of people arrested and only one-third of the city’s population.**⁴⁰ And only 17.2% of arrests of black people in 2016 were for what the FBI designates as “serious” crimes, such as murder, aggravated assault, and robbery.⁴¹ By contrast, 18.5% of arrests of black people were for drug possession (the vast majority of which were for marijuana possession); 10.6% were for disorderly conduct; 8.3% were for drunkenness; and 29.9% were for “all other non-traffic offenses” that the FBI does not even track because of their relatively minor nature.⁴²

➤ Data published by the Baton Rouge Police Department (BRPD) show that BRPD officers made 1,660 traffic stops between 2011 and 2017 to enforce a local ordinance that makes it a misdemeanor to play loud sounds from a vehicle in a manner that “disturb[s] the peace.”⁴³ The vast majority of these stops took place in predominantly black neighborhoods,⁴⁴ raising the concern that officers may be using this ordinance to make pretextual stops of black motorists.

Map 01 shows the location of traffic stops for loud music within Baton Rouge. Map 02 shows Census tracts shaded by the proportion of residents who are African-American (the darkest color indicates tracts where at least 80% of residents are black; the next darkest color indicates tracts where between 60% and 80% of residents are black; and so on.) Map 03 shows Census tracts shaded by overall population density (the densest quintile of tracts are shaded in the darkest color, the next densest quintile shaded the next darkest color; and so on.) The maps suggest that enforcement of the music ordinance is much more closely associated with the presence of African Americans in a tract’s population than with overall population density.⁴⁵

➤ Though data on encounters between Latinx communities and police are limited due to the way race and ethnicity data are recorded,⁴⁶ news reports provide mounting evidence that Louisiana police are targeting people who look Latinx for arrests and referrals to U.S. Immigration and Customs Enforcement (ICE).

- In 2015, two Honduran men were waiting for a ride to their construction jobs when a New Llano Police Department officer arrested them for loitering and handed them over to ICE, even though they were never prosecuted for any crime.⁴⁷ After investigating the incident, the U.S. Department of Homeland Security’s (DHS) Office for Civil Rights and Civil Liberties concluded that the New Llano police officer made the stop “solely for an immigration status check” and that the officer’s interest was “based on their ethnicity and the way they were awaiting pickup for a job.”⁴⁸ The office urged the director of ICE to release the two men from custody and to request that the deportation proceedings against them be dropped

“to avoid furthering the improper actions of NLPD.”⁴⁹ ICE released one of the men after *The New York Times* published an editorial on the incident nearly 150 days into his detention, but ICE had already deported the other man.⁵⁰

- More recently, in June 2018, Jefferson Parish Sheriff’s Office deputies and ICE officers detained a Latina woman by chasing and tackling her to the ground while she was walking

to a store to buy milk for her 3-year-old child, an incident the New Orleans Workers’ Center for Racial Justice has labeled as racial profiling. The deputies then pressured her to lead them to her home, where they detained her, her 10-year-old son, her father, and her uncle, forcing her to leave behind her 3-year-old.⁵¹

Most Louisiana Law Enforcement Agencies Lack Effective Policies on Racial Profiling

Because racial profiling violates the U.S. and Louisiana constitutions, damages relationships with communities, and likely persists across Louisiana, it is critical that law enforcement agencies adopt effective policies prohibiting the practice and train their officers to comply with these policies. As the International Association of Chiefs of Police (IACP) has explained, “The first step in preventing racial profiling is the development of a clear departmental policy banning the practice.”⁵²

To determine whether Louisiana’s law enforcement agencies have adopted anti-profiling policies, the SPLC conducted a survey of the 331 multi-officer⁵³ law enforcement agencies in the state.

The survey responses are alarming.⁵⁴ **Of the 310 respondents, more than a third (109) admitted that they have no policy on racial profiling.** One of the departments lacking any anti-profiling policy is the New Llano Police Department, which DHS’s Office of Civil Rights and Civil Liberties has strongly criticized for engaging in racial profiling of Latinx immigrants.⁵⁶

Of the 201 agencies that sent some sort of document in response to our survey, **89 sent documents that do not contain prohibitions broad enough to cover both types of profiling** (i.e., the use of race to form unreasonable suspicion and racially selective enforcement of traffic and pedestrian laws). Several of these documents have little, if anything, to do with racial profiling. Three agencies sent their policies on

workplace harassment, three sent a “courtesy” policy requiring officers to refrain from “voicing any bias or prejudice concerning race,” one sent an equal employment opportunity policy, and one sent a summary of training hours.⁵⁷

Approximately a third (112) of agencies provided policies that do cover both types of racial profiling. However, many of these policies are only one sentence long or fail to explain clearly to a non-lawyer audience what racial profiling is. For instance, several agencies sent policies that do little more than restate their existing obligations under the law and say nothing about what specific conduct is prohibited. The Amite Police Department’s one-sentence policy reads, “Amite City Police Department’s policy is to follow all local, state and federal laws regarding all investigations including racial profiling.” Another example comes from the Gretna Police Department, which sent us its mission statement, code of ethics, and policies on arrests and workplace harassment. The only mentions of race in these documents occur in the workplace harassment policy (which is wholly unrelated to racial profiling) and the arrest policy’s one-sentence statement, “It is the policy of the Gretna Police Department to treat all individuals equally and fairly without regard to race, religion, sex, nationality or handicap” – which again merely states the department’s existing legal obligations under federal and state law.

The IACP notes that “[a]mbiguous policy definitions and directives are of no assistance

Racial profiling thwarts effective policing because it impairs trust between police and the community.

to officers on the street and have no value for developing relationships of trust between the department and the community.”⁵⁸ By this standard, Amite’s, Gretna’s, and many other departments’ policies are wholly inadequate to help officers understand their roles and obligations.

Just as concerning were the responses of some agencies that revealed a disturbing lack of understanding of the serious nature of racial profiling. The Bernice Police Department sent this one-sentence response, “We have no written policies on racial profiling since we do not racially profile.” The Tickfaw Police Department has chosen to give its policy the title “Ethnics.”⁵⁹ In lieu of sending any policies, the St. Charles Parish Sheriff’s Office provided materials for a 2011 training called “Officer Survival in a Culturally Diverse Community.” The curriculum, based on the work of a former-police-officer-turned-Pentecostal-missionary,⁶⁰ asserted that “there are seven (7) major cultural groups in existence in the world today,” one of which is the “American Underclass.” The trainer’s guide promoted dozens of racist stereotypes, such as African Americans are “verbally aggressive, competitive, and confrontational”; Latino American males “will fight if challenged, as this is what a man does”; “Arabic Americans” have a “violence potential” that is “based upon the concept of earning honor by achieving revenge”; and the “American Underclass” is “found in urban areas and inner cities living in deprived conditions” that have spawned the “‘Killing Fields’ of America.”

Another cause for concern are contracts the Denham Springs, DeRidder, and Independence police departments have entered with the private company Lexipol to write their policies. Lexipol bills itself as “America’s leading

provider of defensible policies and training for public safety organizations.”⁶¹ Unfortunately, its racial profiling policy is neither defensible nor all that useful. Lexipol’s policy defines “bias-based profiling” as an “inappropriate reliance on characteristics such as race, ethnicity, [and] national origin ... as the basis for providing differing law enforcement service or enforcement.” But the policy never explains what “inappropriate reliance” means, so the policy is entirely unclear on what bias-based profiling is and what conduct is prohibited.

The SPLC also obtained a copy of the video produced by the Louisiana Department of Public Safety and Corrections that all law enforcement agencies without racial profiling policies are required to screen for their officers.⁶² The video, which has not been updated since 2002, contains an incomplete definition of racial profiling that also conflicts with other directives it presents.⁶³ It also fails to provide useful examples of what actions constitute racial profiling.⁶⁴ Overall, like Lexipol’s policy, the video does a poor job explaining what racial profiling is and what conduct is prohibited.

Recommendations

The state of Louisiana has failed to ensure that law enforcement agencies do not engage in racial profiling. In fact, there is strong evidence that racial profiling is widespread, even though data collection on policing remains woefully insufficient. In addition, few law enforcement agencies within the state maintain adequate policies and training opportunities to prevent racial profiling. Given these facts, we recommend the following:

For Louisiana Law Enforcement Agencies

➤ Adopt policies banning all forms of racial profiling. Such policies should:

- Define racial profiling to include *any* reliance on a person's race, ethnicity, national origin, or color – even if the officer never reveals his/her true motivations – to determine whom to target for law enforcement action. The *only* exception is the “be on the lookout for” exception, in which an officer may use race, ethnicity, national origin, or color in combination with other physical characteristics to match someone to a credible, timely, and specific description of an individual suspect for a particular crime.
- Define “reasonable suspicion” and “probable cause” and include examples of when considerations of race and ethnicity would and would not be permissible in forming reasonable suspicion and probable cause.
- Discourage over-policing by avoiding language that calls for police to patrol “in a proactive manner” or to “aggressively investigate suspected violations of law.”
- Implement procedures to eliminate the influence of improper bias, such as requiring officers to state the reason for the stop right away; forbidding officers from detaining someone any longer than necessary to issue a citation or investigate the original reason for the stop; and discouraging officers from making arrests for any violations for which a citation is authorized.
- Require officers who witness improper conduct to report it and require the internal affairs

division to investigate all such reports as well as complaints made by community members.

- Mandate data collection for all stops – not just those that result in citations – and require publication and periodic review of the data to determine if racial disparities are present in stops, searches, citations, arrests, and uses of force.

➤ Provide regular training to officers on the content of these policies and how racial profiling undermines effective police work.

- The IACP identifies “meaningful training” – i.e., sessions that employ “active, scenario-based trainings” rather than “passive, lecture-based training” – as essential to eliminating racial profiling.⁶⁵ Trainings should help officers apply legal standards to “real-life settings”; understand the “detrimental effects of racial profiling on effective policing and community relations”; “acknowledge and come to terms with any biases they may have” while developing a “fuller understanding and appreciation of different ethnic or cultural groups within their jurisdiction”; and recognize the importance of conducting police-initiated encounters with “courtesy, professionalism, and respect.”⁶⁶ Officers should also be trained on the importance of reporting instances where they suspect a colleague has engaged in impermissible profiling.⁶⁷
- One example of training that Louisiana law enforcement agencies could introduce comes from California, which requires all officers in the state to be trained on the “[n]egative impact of intentional and implicit biases, prejudices, and stereotyping on effective law enforcement”

All agencies should be required to collect data on traffic stops, arrests, uses of force and complaints.

including how “discriminatory enforcement practices have harmed police-community relations.”⁶⁸

➤ Establish mechanisms to receive, review, and respond to complaints from people who believe they have been unfairly profiled. This could include providing a sample form on the agency’s website asking the complainant to provide basic details about the encounter.⁶⁹ Agencies should publish their procedures for how they review complaints and notify the complainant in a timely fashion about the progress of the investigation, whether the complaint is sustained or unsustained, and what disciplinary measures are taken against officers.

➤ Discipline officers found to have engaged in racial profiling – such as stopping or searching a disproportionate number of motorists of color compared to the driving population of the area where the officer regularly patrols – and voluntarily report these disciplinary measures to the Louisiana Uniform Law Enforcement Statewide Reporting Database administered by the Louisiana Commission on Law Enforcement and Administration of Criminal Justice.⁷⁰

For the Louisiana Legislature

➤ Require all law enforcement agencies to collect, report, and publish data on traffic and pedestrian stops, uses of force, arrests, and complaints. This would enable agencies and the public to determine whether and where racial profiling may be occurring.

➤ Ban racial profiling, including the use of

pretextual stops, and provide a remedy for violations of the ban.

- In criminal proceedings, the remedy should be the exclusion of all evidence obtained from a stop that violates the Fourth Amendment or the Equal Protection Clause. The Washington Supreme Court, for example, has held that the state’s constitution bars the admission of evidence obtained as a result of a pretextual stop.⁷¹

- For civil proceedings, the Legislature should enact a state-level version of the End Racial Profiling Act, which Congress has considered for several years.⁷² In particular, the Legislature should create a cause of action for plaintiffs who have been injured by racial profiling to sue for damages or declaratory or injunctive relief. The Legislature should define as *prima facie* evidence of a violation a statistically significant disparity in the law enforcement officer’s or agency’s enforcement actions (e.g., stops or searches) compared to the local driving or pedestrian population. This would allow the plaintiff to survive a motion to dismiss, and then it would be up to the officer or agency at trial to rebut the evidence by showing that the disparity can be explained by something other than persistent racial profiling. Of course, the viability of this legal test would depend on law enforcement agencies publishing reliable data on their patrols. The Legislature should also provide for attorney’s fees, costs, and expert fees if the plaintiff prevails.

➤ Prohibit *Terry* stops, *i.e.*, non-arrest detentions based only on reasonable suspicion of a crime, unless the officer has reasonable suspicion that the person is about to commit a *violent*

crime. Outside of the circumstance in which the officer has reasonable suspicion that a violent offense is imminent, the officer should be required to have probable cause before stopping, questioning, or frisking someone.⁷³

➤ Require all law enforcement agencies to adopt effective policies, training, and disciplinary measures to eliminate racial profiling as a condition of receiving funding from the Edward Byrne Memorial Justice Assistance Grant program,⁷⁴ the largest source of federal funding for state and local law enforcement.⁷⁵ Specifically, the Legislature should condition receipt of federal funds on agencies adopting policies banning all forms of profiling, collecting and publishing data on officers' enforcement actions, updating training, and reviewing and responding to complaints in a timely manner.

➤ Amend the state law on revocation of law enforcement officers' certifications to authorize the Peace Officer Standards and Training Council to revoke the certification of officers who have demonstrated a track record of unjustified racial and ethnic disparities in their patrols.⁷⁶ Such evidence could come

from reports by law enforcement agencies to the Louisiana Uniform Law Enforcement Statewide Reporting Database⁷⁷ or from a mechanism the Council could establish to receive complaints from the public.

For the Louisiana Commission on Law Enforcement and Administration of Criminal Justice

➤ Compose model policies on racial profiling and data collection and disseminate these policies to law enforcement agencies throughout the state. Model policies should contain the elements outlined above in the recommendations to law enforcement agencies.

➤ Promulgate regulations conditioning approval of Byrne grant applications and receipt of residual pass-through Byrne funds on law enforcement agencies adopting anti-profiling policies, collecting and publishing data on their activities, updating training, and reviewing and responding to complaints in a timely manner. The Commission could issue such regulations under its existing authorities even without a specific directive from the Legislature to impose such conditions.⁷⁸

Endnotes

1 For example, studies from across the country show large racial disparities in the rates at which motorists of color are stopped, cited, searched, and arrested compared to white motorists. See Ian Ayres & Jonathan Borowsky, *A Study of Racially Disparate Outcomes in the Los Angeles Police Department*, American Civil Liberties Union of Southern California (Oct. 2008), <https://www.aclusocal.org/sites/default/files/wp-content/uploads/2015/09/11837125-LAPD-Racial-Profiling-Report-ACLU.pdf>; Frank R. Baumgartner, Derek A. Epp, and Kelsey Shoub, *Suspect Citizens: What 20 Million Traffic Stops Tell Us About Policing and Race* (Cambridge: Cambridge Univ. Press, 2018); Frank R. Baumgartner et al., *Racial Disparities in Traffic Stop Outcomes*, 9 Duke Forum for L. & Soc. Change 21 (2017); Frank R. Baumgartner et al., *Targeting Young Men of Color for Search and Arrest During Traffic Stops: Evidence from North Carolina, 2002-2013*, 5 Politics, Groups, & Identities 107 (2017); Samuel R. Gross & Katherine Y. Barnes, *Road Work: Racial Profiling and Drug Interdiction on the Highway*, 101 Mich. L. Rev. 651 (2002); Matthew B. Ross et al., *State of Connecticut: Traffic Stop Data Analysis and Findings, 2015-16*, Cent. Conn. State U., Inst. for Mun. & Reg'l Pol'y (Nov. 2017), <http://www.ctrp3.org/app/download/766619976/November+2017+Connecticut+Racial+Profiling+Report.pdf>; Matthew B. Ross et al., *Traffic Stop Data Analysis and Findings, 2016*, Cent. Conn. State U., Inst. for Mun. & Reg'l Pol'y (Mar. 2018), http://www.dot.ri.gov/community/CCPRA/docs/2016_Rhode_Island_Traffic_Stop_Study.pdf; Camelia Simoiu et al., *The Problem of Infra-Marginality in Outcome Tests for Discrimination*, 11 Annals of Applied Stat. 1193, 1205-08 (2017) (deploying a new statistical test for discrimination to find that North Carolina officers employed a lower threshold of suspicion for searching black and Hispanic motorists versus white motorists); *CPD Traffic Stops and Resulting Searches in 2013*, American Civil Liberties Union of Illinois (Dec. 2014), <http://www.aclu-il.org/wp-content/uploads/2014/12/Report-re-CPD-traffic-stops-in-2013.pdf>; *Picking Up the Pieces: A Minneapolis Case Study*, American Civil Liberties Union (May 28, 2015), <https://www.aclu.org/issues/racial-justice/race-and-criminal-justice/picking-pieces>; *Racial Disparities in Florida Safety Belt Law Enforcement*, American Civil Liberties Union (Jan. 2016), <https://www.aclu.org/report/racial-disparities-florida-safety-belt-law-enforcement>.

2 It is difficult to prove racial profiling in both the Fourth Amendment and Equal Protection Clause contexts. For traffic stops, it is difficult to show Fourth Amendment violations, because most motorists commit easily observable violations (giving rise to probable cause to justify a stop), and courts disregard the officer's subjective motivation for making the stop. *Whren v. United States*, 517 U.S. 806, 813-14 (1996). For pedestrian stops, because it is harder for a pedestrian to break laws while walking, it is easier to show that the officer did not have probable cause for the stop. See, e.g., *Floyd v. City of New York*, 959 F. Supp. 2d 540, 578-83 (S.D.N.Y. 2013). Nevertheless, the Fourth Amendment permits stops based on only reasonable suspicion of criminal activity (a standard that is lower than probable cause). *Terry v. Ohio*, 392 U.S. 1, 21 (1968). It is therefore difficult to prove Fourth Amendment violations in the pedestrian stop context, even if the officer has only low suspicion that criminal activity was afoot. Regarding Equal Protection Clause violations, a challenger must show that the law enforcement action had a discriminatory purpose and a discriminatory effect. See *Washington v. Davis*, 426 U.S. 229, 244-45 (1976); *Village of Arlington Heights v. Metro. Housing Dev. Corp.*, 429 U.S. 252, 264-65 (1977). To show a discriminatory purpose, a challenger may rely on circumstantial evidence, but shrewd officers will avoid making their motivations obvious. To show a discriminatory effect, a challenger must make a "credible showing" that a similarly situated person of a different race or ethnicity would not have been subjected to the same treatment – and the challenger is not entitled to discovery (i.e., required disclosures from the government) to help her make this "credible showing." *United States v. Armstrong*, 517 U.S. 456, 470 (1996). Such a showing generally requires access to large amounts of data, which may not be publicly available.

3 U.S. Const. amend. IV (prohibiting "unreasonable searches and seizures"); *id.* amend. XIV, § 1, cl. 4 (prohibiting denial of equal protection of the law); La. Const. art. I, § 3 (prohibiting denial of equal protection of the law); *id.* § 5 (prohibiting "unreasonable searches, seizures, or invasions of privacy").

4 Louisiana state appellate courts have directly addressed claims of racial profiling only eleven times and found sufficient evidence of profiling in only two of those cases. *Parker v. Town of Woodworth*, 160 So. 3d 1113 (La. Ct. App. 2015); *State v. Vingle*, 802 So. 2d 887 (La. Ct. App. 2001). Only nine federal cases have directly addressed claims of racial profiling by police in Louisiana, and none have found sufficient evidence of profiling.

5 See *infra* notes 28-31 and accompanying text.

6 Peter Wagner & Wendy Sawyer, *States of Incarceration: The Global Context 2018*, Prison Pol'y Initiative (May 2018), <https://www.prisonpolicy.org/global/2018.html>; *Appendix: States of Incarceration: The Global Context 2018*, Prison Pol'y Initiative (May 2018), https://www.prisonpolicy.org/global/appendix_2018.html (showing that, as of December 31, 2016, Oklahoma's incarceration rate was 1,079 per 100,000 residents, whereas Louisiana's incarceration rate was 1,052 per 100,000 residents).

7 Currently, nearly one in one hundred Louisianans is behind bars. This statistic is the sum of the number of adults held under DOC jurisdiction as of June 2018 (33,186), the number of children held under Office of Juvenile Justice jurisdiction as of the second quarter of 2018 (796), and an estimate (methodology for calculation below) of the number of people held in parish and local jails (9,718), totaling 43,700 people incarcerated, divided by the July 2017 U.S. Census estimate for Louisiana's population (4,684,333), which yields 933 per 100,000 people incarcerated. *Briefing Book*, La. Dep't of Pub. Safety & Corr., p. 11 of the .pdf (July 2018), <http://www.doc.la.gov/media/11/Briefing%20Book/July%2018/july.2018.bb.pdf> (33,186 adults under DOC jurisdiction as of June 2018); Vera Inst. of Just. et al., *Louisiana Quarterly Juvenile Justice Indicators*, La. Off. of Juvenile Just., 2nd Q. 2018 (July 2018), <https://ojj.la.gov/wp-content/uploads/2018/07/OJJ-Indicators-2018Q2.pdf> (accessed July 28, 2018) (403 children held in secure care and 393 children held in non-secure care as of 2nd quarter of 2018); *QuickFacts: Louisiana*, U.S. Census Bureau, <https://www.census.gov/quickfacts/LA> (accessed July 6, 2018) (July 2017 population estimate of 4,684,333).

The estimate of the number of people held in parish and local jails (either serving misdemeanor sentences post-conviction or being detained pre-trial) was obtained by taking the difference between the total number of adults the federal Bureau of Justice Statistics reported were incarcerated in Louisiana as of December 31, 2016 (45,400) and the number of people held under DOC jurisdiction as of December 2016 (35,682). Danielle Kaeble & Mary Cowhig, *Correctional Populations in the United States, 2016*, U.S. Dep't of Just., Bureau of Just. Stat., NCJ 251211, at 11 app.tbl.1 (Apr. 2018), <https://www.bjs.gov/content/pub/pdf/cpus16.pdf> (45,400 incarcerated in Louisiana as of Dec. 31, 2016); *Briefing Book*, *supra*, p. 6 of the .pdf (35,682 under DOC jurisdiction as of Dec. 2016).

8 One "insider" patrol tactics book explains how increasing the number of cars an officer stops enables the officer to identify and investigate more criminal activity: "Criminal Patrol in large part is a numbers game; you have to stop a lot of vehicles to get the law of averages working in your favor." Charles Remsberg, *Tactics for Criminal Patrol: Vehicle Stops, Drug Discovery and Officer Survival* (Northbrook, Ill.: Calibre Press, 1995), 27; see also *Tactics for Criminal Patrol: Product Description*, PoliceOne Books, <http://policeonebooks.com/tactics-for-criminal-patrol-by-chuck-remseberg.html> (accessed May 10, 2018) (referring to Remsberg's book as containing "[i]nsider" patrol tactics" from "elite officers who are already producing spectacular results, while staying alive and legally unscathed"); Gary Webb, *Driving While Black: Tracking Unspoken Law-Enforcement Racism*, Esquire (Jan. 29, 2007), <https://www.esquire.com/news-politics/a1223/driving-while-black-0499> ("[A] reporter had asked a veteran California Highway Patrol sergeant to explain the operating principle behind this campaign to remove contraband from highway travelers. The answer: volume, volume, volume. 'It's sheer numbers,' he said. 'Our guys make a lot of stops. You've got to kiss a lot of frogs before you find a prince.'").

9 We lack the data to know how much of the disparity in incarceration is due to differing rates of crime commission across people of different races and ethnicities. However, it is plausible that racial discrimination in police practices drives at least a portion of this enormous disparity, since studies using replicable observational methods have found that certain

violations like traffic infractions are committed at roughly similar rates across racial groups. See, e.g., Joseph B. Kadane & John Lamberth, *Are Blacks Egregious Speeding Violators at Extraordinary Rates in New Jersey?*, 8 Law, Probability & Risk 139, 146, 147 fig.1 (2009) (“It does appear that blacks drive slightly faster than others, but only slightly. . . . [T]he extent to which blacks drive faster than others is not nearly enough to explain the disparity in stops between blacks and others.”); *Seatbelt Use in Florida: Final Report*, Fla. Dep’t of Transp. 16 tbl.3 (June 2014), <http://www.fdot.gov/safety/4-Reports/Seat-Belt-Use-Reports/2014%20FL%20Seat%20Belt%20Use%20Report.pdf> at 16 tbl.3 (finding seatbelt usage among 91.5% of white drivers, 85.8% of black drivers, 89.4% of Hispanic drivers, and 96.3% of other drivers). Similarly, federal survey data suggest that marijuana use is consistent across people of different racial and ethnic groups. See *Results from the 2016 National Survey on Drug Use and Health: Detailed Tables*, Substance Abuse & Mental Health Servs. Admin., Ctr. for Behavior Health Stat. & Quality, 230 tbl.1.32B, (Sept. 7, 2017), <https://www.samhsa.gov/data/sites/default/files/NSDUH-DetTabs-2016/NSDUH-DetTabs-2016.htm#tab1-32B>. The figures in the main text are calculated using data from the following sources: *Sex by Age (Black or African American Alone)*, B01001B, American Cmty. Survey 5-Year Estimates, U.S. Census Bureau, https://factfinder.census.gov/bkmk/table/1.0/en/ACS/16_5YR/B01001B/0400000US22 (accessed Aug. 3, 2018) [hereinafter 2016 ACS Data – Black] (number of black adults); *Sex by Age*, B01001, American Cmty. Survey 5-Year Estimates, U.S. Census Bureau, https://factfinder.census.gov/bkmk/table/1.0/en/ACS/16_5YR/B01001/0400000US22 (accessed Aug. 3, 2018) (number of adults); *Uniform Crime Reporting Program Data: Arrests by Age, Sex, and Race, 2016 (ICPSR 37056)*, U.S. Dep’t of Justice, Fed. Bureau of Investigation, available from Inter-Univ. Consortium for Pol. & Soc. Res. (June 28, 2018), <https://doi.org/10.3886/ICPSR37056.v1> [hereinafter 2016 UCR Data] (percentage of adult arrestees who were black); *Briefing Book*, La. Dep’t of Pub. Safety & Corr., p. 26 of the .pdf (July 2016), <http://www.doc.la.gov/media/1/Briefing%20Book/Jul%202016/bb.jul.16.update.pdf>.

10 This figure was calculated using data from *Briefing Book*, *supra* note 7, p. 11 of the .pdf (black and white adult prisoner percentages and total number of adult prisoners as of June 2018); 2016 ACS Data – Black, *supra* note 9 (number of black adults in 2016, the most recent year for which Census data disaggregated by age and race are available); *Sex by Age (White Alone)*, B01001A, American Cmty. Survey 5-Year Estimates, U.S. Census Bureau, https://factfinder.census.gov/bkmk/table/1.0/en/ACS/16_5YR/B01001A/0400000US22 (accessed Aug. 3, 2018) (number of white adults in 2016).

11 This figure was calculated using the following sources: 2016 UCR Data, *supra* note 9, *RACE: Universe: Total Population, 2012-2016 American Community Survey 5-Year Estimates*, B02001, U.S. Census Bureau, https://factfinder.census.gov/bkmk/table/1.0/en/ACS/16_5YR/B02001/0400000US22 (accessed Aug. 3, 2018) [hereinafter 2016 Louisiana ACS Data] (population by race for state, parishes, and municipalities).

12 *Results from the 2016 National Survey on Drug Use and Health*, *supra* note 9.

13 This figure was calculated using the same sources as in *supra* note 12.

14 Mark Gimein, *Welcome to the Arrest Capital of the United States*, *Naked Truth* (June 22, 2016), <https://fusion.tv/story/256788/gretna-louisiana-arrest-capital-america>.

15 These figures were calculated using the following sources: 2016 UCR Data, *supra* note 9, 2016 Louisiana ACS Data, *supra* note 11.

16 This figure was calculated using the following source: 2016 UCR Data, *supra* note 9.

17 Richard Fausset & Alan Blinder, *Baton Rouge Officers Will Not Be Charged in Alton Sterling’s Killing*, *N.Y. Times* (Mar. 27, 2018), <https://nyt.ms/2pJaRSC>.

18 See *Cox v. Louisiana*, 379 U.S. 536, 538-545 (1965).

19 In September 2005, New Mexico State Police officers reported that BRPD officers forcibly entered dwellings without warrants or exigent circumstances; slammed a car door and pepper sprayed a man who was handcuffed in the back of a patrol car; stopped and searched black motor-

ists and pedestrians without reasonable suspicion or probable cause, even scraping off a valid vehicle registration sticker to force a motorist to purchase a new one and crumpling a valid driver’s license; tased an unarmed man, including after he had fallen to the ground; spoke discourteously and unprofessionally toward black but not white residents and referred to black residents as “heathens”; choked and kicked a handcuffed black youth who had sworn at the police while other officers stood by laughing; and falsified an incident report to justify an unconstitutional stop and search. See First Amended Complaint, Exhibit A at 5-8, 10-16, 18, *Imani v. City of Baton Rouge*, No. 17-cv-439-JWD-EWD (M.D. La. July 21, 2017), ECF No. 5-1. One BRPD officer offered to let a Michigan State Police officer beat a prisoner as a “thank-you” for assisting with hurricane relief. *Reports Allege B.R. Police Misconduct Post-Katrina*, *NOLA.com* (Mar. 15, 2010), <http://s.nola.com/eTurSPk>. After only two days of patrolling with BRPD officers, the 55 New Mexico and Michigan troopers withdrew due to their concerns over BRPD misconduct. *Id.*

20 Thomas Gibbons-Neff, *Why the Police in Baton Rouge Look Like They’re Dressed for War*, *Wash. Post* (July 11, 2016), <https://wapo.st/29lb5mn>; Abigail Hauslohner et al., *As Arrests Mount in Baton Rouge, Protesters Question Police Tactics*, *Wash. Post* (July 10, 2016), <http://wapo.st/29GPK9>.

21 See, e.g., Greg Allen, *In Baton Rouge, Simmering Mistrust Divides Police, Community*, *Nat’l Pub. Radio* (July 14, 2016), <https://n.pr/29EhVhH>; Trymaine Lee, *Alton Sterling Shooting Exposes Racial Fractures in Baton Rouge*, *NBC News* (July 7, 2016), <https://www.nbcnews.com/news/us-news/alton-sterling-shooting-exposes-racial-fractures-baton-rouge-n605126>. The BRPD also remains under a federal consent decree instituted in 1980 to ensure that police and fire departments across the state would recruit officers of color and women into their ranks. *United States v. City of Alexandria*, 614 F.2d 1358, 1367-72 (5th Cir. 1980), *overruled on other grounds*, *Dean v. City of Shreveport*, 438 F.3d 448, 452 n.1 (5th Cir. 2006) (applying strict scrutiny to review “race-conscious remedies” rather than rational basis). While 29 other jurisdictions have been released from the decree, the BRPD has still not demonstrated substantial compliance with the decree after nearly 40 years. Jim Mustian, *Baton Rouge Police Department Remains Non-Compliant with 37-Year-Old Consent Decree Despite Reform, Diversity Efforts*, *The Advocate* (May 20, 2017), http://www.theadvocate.com/baton_rouge/news/courts/article_0568014c-3a72-11e7-827d-df011cf01d5d.html.

22 *Louisiana Justice Reinvestment Package*, La. Dep’t of Corr. 1, http://doc.louisiana.gov/media/1/Justice%20Reinvestment%20Task%20Force/la_final.package.summary_2017-6-7_final.pdf (accessed July 6, 2018). The Justice Reinvestment Initiative (JRI) is already outperforming expectations: JRI was projected to save Louisiana taxpayers \$6.2 million by June 2018, but it has already saved \$12.2 million. *Report to the Commissioner of Administration and the Joint Legislative Committee on the Budget Regarding Calculated Savings Realized from Criminal Justice Reform for Fiscal Year 2018*, La. Dep’t of Pub. Safety & Corr. 3-4 (July 9, 2018), <http://doc.la.gov/media/1/Justice%20Reinvestment%20Task%20Force/07.09.18.report.to.doa.comm.and.jlcb.for.fy18.calculated.savings.pdf>.

23 *Cf. Whren v. United States*, 517 U.S. 806, 810 (1996) (“As a general matter, the decision to stop an automobile is reasonable where the police have probable cause to believe that a traffic violation has occurred.”).

24 See *Terry v. Ohio*, 392 U.S. 1, 21-22, 30 (1968); *Berkemer v. McCarty*, 468 U.S. 420, 439 (1984) (“Under the Fourth Amendment, we have held [that] a policeman who lacks probable cause but whose observations lead him reasonably to suspect that a particular person has committed, is committing, or is about to commit a crime, may detain that person briefly in order to investigate the circumstances that provoke suspicion.” (omitting internal quotations and citation)).

25 See, e.g., Carl Takei, *How Police Can Stop Being Weaponized by Bias-Motivated 911 Calls*, *American Civil Liberties Union* (June 18, 2018, 6:00 PM EST), <https://www.aclu.org/blog/racial-justice/race-and-criminal-justice/how-police-can-stop-being-weaponized-bias-motivated>.

26 This stop would not necessarily violate the Fourth Amendment as long as the officer had probable cause to believe that a traffic or other violation had occurred. See *Whren*, 517 U.S. at 814, 819. However, unless the officer was looking for someone who matched a credible and specific suspect description, if the officer’s true motivation for making the stop was because of the motorist’s race or ethnicity, and the officer would not have made

the stop if the motorist's race or ethnicity had been different, the officer has violated the Fourteenth Amendment's Equal Protection Clause. For an example of how a traffic stop that complies with the Fourth Amendment could nevertheless violate the Equal Protection Clause, see *Marshall v. Columbia Lea Regional Hosp.*, 345 F.3d 1157, 1166-71 (10th Cir. 2003) ("[T]he right to equal protection may be violated even if the actions of the police are acceptable under the Fourth Amendment."); see also *United States v. Avery*, 137 F.3d 343, 352 (6th Cir. 1997) ("The Equal Protection Clause of the Fourteenth Amendment provides citizens a degree of protection independent of the Fourth Amendment protection against unreasonable searches and seizures.").

27 See, e.g., *Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity*, U.S. Dep't of Just. 4 (Dec. 2014), <https://www.justice.gov/sites/default/files/ag/pages/attachments/2014/12/08/use-of-race-policy.pdf> [hereinafter DOJ Guidance]; *Protecting Civil Rights: A Leadership Guide for State, Local, and Tribal Law Enforcement*, Int'l Ass'n of Chiefs of Police 157 (Sept. 2006), http://www.theiacp.org/portals/0/pdfs/PCR_LdrshpGde_Part3.pdf.

28 A long line of research into "procedural justice" has revealed that people who feel the police have treated them fairly, even when facing a citation or arrest, are much more likely to view the police as legitimate authorities and therefore more likely to cooperate with the police on subsequent, independent matters. These findings remain true across different racial and ethnic groups. See, e.g., Tom R. Tyler & Jonathan Jackson, *Popular Legitimacy and the Exercise of Legal Authority: Motivating Compliance, Cooperation, and Engagement*, 20 Psych., Pub. Pol'y, & L. 78, 85-89 & tbls.4, 8 (2014); Tom R. Tyler & Jeffrey Fagan, *Legitimacy and Cooperation: Why Do People Help the Police Fight Crime in Their Communities*, 6 Ohio State J. of Crim. L. 231, 250-54 & tbls.3-4, 263-64 (2008); see generally *Procedural Justice*, Nat'l Initiative for Building Cmty. Trust & Just., <https://trustandjustice.org/resources/intervention/procedural-justice>. Guidance for federal law enforcement agencies also emphasizes the harm caused by biased policing. DOJ Guidance, *supra* note 27, at 1 ("Biased practices . . . are unfair, promote mistrust of law enforcement, and perpetuate negative and harmful stereotypes."). And national survey data reveal large gaps in people's trust of law enforcement between white, black, and Hispanic Americans, probably because police treat people of different races and ethnicities differently. Rich Morin & Renee Stepler, *The Racial Confidence Gap in Police Performance*, Pew Research Ctr. (Sept. 29, 2016), <http://pewrsr.ch/2dcLkM4>.

29 For example, a 2012 survey of Latinx communities in the counties of Cook (Chicago), Harris (Houston), Los Angeles, and Maricopa (Phoenix)—all with large Latinx populations—revealed widespread fear that contacting police would lead to inquiries into a person's immigration status and corresponding unwillingness to report crimes or provide tips to the police. Nik Theodore, *Insecure Communities: Latino Perceptions of Police Involvement in Immigration Enforcement*, Univ. Ill. Chicago 5-6 fig.1 (May 2013), http://www.policylink.org/sites/default/files/INSECURE_COMMUNITIES_REPORT_FINAL.PDF. Data from Denver and Philadelphia show that reports of crime in Latinx communities fell, even relative to non-Latinx communities, between 2016 and 2017, a decrease attributed to Donald Trump's becoming president and rising fears of deportation. Rob Arthur, *Latinos in Three Cities Are Reporting Fewer Crimes Since Trump Took Office*, FiveThirtyEight (May 18, 2017), <http://f3eig.ht/2pY4kSh>; see also Cora Engelbrecht, *Fewer Immigrants Are Reporting Domestic Abuse. Police Blame Fear of Deportation*, N.Y. Times (June 3, 2018), <https://nyti.ms/2HgbpRM>.

30 Chuck Wexler, *Police Chiefs Across the Country Support Sanctuary Cities Because They Keep Crime Down*, L.A. Times (Mar. 6, 2017), <http://www.latimes.com/opinion/op-ed/la-oe-wexler-sanctuary-cities-immigration-crime-20170306-story.html> ("[P]olice chiefs warn that if their agencies are required to enforce federal immigration laws, it will hurt their ability to investigate and solve serious crimes in their communities. If people are afraid to have contact with the local police, they will not report crime, serve as witnesses, or tell police what is going on in their neighborhoods. Without information from the community, investigating crime becomes difficult and crime levels rise."); *Immigration Policy*, Major Cities Chiefs Ass'n 1 (2013), https://www.majorcitieschiefs.com/pdf/news/2013_immigration_policy.pdf (explaining that local enforcement of immigration law "undermines the trust and cooperation with immigrant communities which are essential elements of community oriented policing").

31 See *Rodriguez v. United States*, 135 S. Ct. 1609 (2015) (extending a

traffic stop beyond the time reasonably necessary to address the traffic violation, absent reasonable suspicion of other criminal activity, violates the Fourth Amendment); *Arizona v. United States*, 567 U.S. 387, 413 (2012) ("Detaining individuals solely to verify their immigration status would raise constitutional concerns."). Suspecting that someone is in the country illegally solely because s/he looks Latinx does *not* constitute reasonable suspicion of unlawful presence. *United States v. Brignoni-Ponce*, 422 U.S. 873, 886-87 (1975) ("Even if [the Border Patrol] officers saw enough to think that the occupants were of Mexican descent, this factor alone would justify neither a reasonable belief that they were aliens, nor a reasonable belief that the car concealed other aliens who were illegally in the country. . . . The likelihood that any given person of Mexican ancestry is an alien is high enough to make Mexican appearance a relevant factor, but standing alone it does not justify stopping all Mexican-Americans to ask if they are aliens."); see also Kavitha Surana, *How Racial Profiling Goes Unchecked in Immigration Enforcement*, ProPublica (June 8, 2018), <https://www.propublica.org/article/racial-profiling-ice-immigration-enforcement-pennsylvania> (discussing legal implications of racial profiling in the immigration context); Kavitha Surana, *Pennsylvania State Police Adding Oversight to Troopers' Interactions With ICE*, ProPublica (June 14, 2018), <https://www.propublica.org/article/pennsylvania-state-police-adding-oversight-to-trooper-interactions-with-ice> (same).

32 Unfortunately, data on Louisiana-based police encounters involving people of color other than African-Americans are extremely limited, so the examples that follow focus on black-white disparities in enforcement.

33 These figures were calculated using data from the following sources: 2016 UCR Data, *supra* note 9; 2016 Louisiana ACS Data, *supra* note 11.

34 Results from the 2016 National Survey on Drug Use and Health, *supra* note 9. Black youth (15.0%) are only slightly more likely than white youth (14.7%) to have used marijuana in their lifetimes. *Id.* For more on racial disparities in arrests for low-level crimes, see Paul Butler, *Chokehold: Policing Black Men* (New York: New Press, 2017), 61-64.

35 Of 8,916 black people whose arrests for marijuana possession in Louisiana in 2016 were reported to the FBI, 8,275, or 93%, were adults. Of 5,902 white people whose arrests for marijuana possession in Louisiana in 2016 were reported to the FBI, 5,431, or 92%, were adults. 2016 UCR Data, *supra* note 9.

36 The figures in the table were calculated using the following sources: 2016 UCR Data, *supra* note 9; 2016 Louisiana ACS Data, *supra* note 11. It is likely that agencies made more arrests for marijuana possession than what they reported to the FBI. This is because the UCR program employs a "Hierarchy Rule," which dictates that, if a person is arrested for multiple offenses, only the arrest for the most serious offense should be reported to the FBI. For what the FBI calls "Part I" offenses (i.e., criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft (except motor vehicle theft), motor vehicle theft, and arson), the FBI determines which Part I offense is the most serious. For what the FBI calls "Part II" offenses (all crimes not designated as Part I crimes), the reporting agency itself determines which Part II offense is the most serious. Marijuana possession is a Part II offense, so whenever a person is arrested for a Part I offense and marijuana possession, the arrest for marijuana possession is not reported to the FBI. If a person is arrested for marijuana possession and another Part II offense, whether the agency reports the arrest for marijuana possession to the FBI depends on whether the agency ranks marijuana possession as more or less serious compared to the other offense for which the person was arrested. See *Uniform Crime Reporting Handbook*, U.S. Dep't of Just., Fed. Bureau of Investigation 97 (2004), https://ucr.fbi.gov/additional-ucr-publications/ucr_handbook.pdf (explanation of the Hierarchy Rule); *id.* at 10, 139 (hierarchy of Part I offenses and definition of Part II offenses).

37 This figure was calculated using the same sources as in *supra* note 36.

38 Gimein, *supra* note 14.

39 *Id.*

40 These figures were calculated using the following sources: 2016 UCR Data, *supra* note 9, 2016 Louisiana ACS Data, *supra* note 11.

41 This figure was calculated using the following source: 2016 UCR Data, *supra* note 9.

42 These figures were calculated using the following source: 2016 UCR Data, *supra* note 9.

43 Code of Ordinances of the City of Baton Rouge and East Baton Rouge Parish § 12:101(3).

44 *Baton Rouge Crime Incidents*, Open Data BR (Mar. 15, 2018), <https://data.brla.gov/Public-Safety/Baton-Rouge-Crime-Incidents/fabb-cnnu/data>.

45 These maps were constructed using data from the following sources: *Baton Rouge Crime Incidents*, *supra* note 44; *City Limit*, EBRGIS Open Data (June 12, 2018), <https://data-ebrgis.opendata.arcgis.com/datasets/city-limit>; *Cartographic Boundary KML Files – Census Tracts*, U.S. Census Bureau, https://www.census.gov/geo/maps-data/data/kml/kml_tracts.html (accessed Nov. 17, 2017); *RACE: Universe: Total Population, 2012-2016 American Community Survey 5-Year Estimates*, B02001, U.S. Census Bureau, https://factfinder.census.gov/bkmk/table/1.0/en/ACS/16_5YR/B02001/0400000US220500000US2203314000 (accessed Aug. 1, 2018); *Population, Housing Units, Area, and Density: 2010 – County – Census Tract: 2010 Census Summary File 1*, GCT-PH1, U.S. Census Bureau, https://factfinder.census.gov/bkmk/table/1.0/en/DEC/10_SF1/GCTPH1.CY07/0500000US22033 (accessed Aug. 3, 2018). One census tract (number 98) does not have current population data associated with it.

46 The FBI's Uniform Crime Reporting program, for example, does not require reporting on arrests of Latinx people as a distinct racial or ethnic group, so many Latinx people who are arrested are coded as white in the data. This has the effect of both making it hard to know how often police make contact with Latinx people and also underestimating black-white disparities in arrest rates by artificially inflating the number of white people who are arrested. See *The War on Marijuana in Black and White*, American Civil Liberties Union 32-33 (June 2013), https://www.aclu.org/sites/default/files/field_document/1114413-mj-report-rfs-rel1.pdf; see also Sarah Eppler-Epstein, *We Don't Know How Many Latinos Are Affected by the Criminal Justice System*, Urban Inst. (Oct. 17, 2016), <https://urban.is/2w0krbs>.

47 Editorial, *Wrongly Profiled and Deported*, N.Y. Times (Oct. 23, 2015), <https://nyti.ms/1NXITPd>.

48 E-mail from Megan H. Mack, Officer for Civil Rights & Civil Liberties, U.S. Dep't of Homeland Security, to Sarah Saldaña, Dir., U.S. Immigration & Customs Enf't (Sept. 21, 2015, 4:56 PM EST), available at <http://nowcrj.org/wp-content/uploads/2015/10/ERO-Prosecutorial-Discretion-Inquiry-emails.pdf>.

49 *Id.*

50 Editorial, *supra* note 47; *ICE Releases Gustavo Barahona Late Night, But ICE Director Fails To Answer Charges of Racial Profiling & Biased Policing*, New Orleans Workers' Ctr. for Racial Just. (Oct. 26, 2015), <http://nowcrj.org/2015/10/26/ice-releases-gustavo-barahona-late-night-but-ice-director-fails-to-answer-charges-of-racial-profiling-biased-policing-10-26-15>.

51 *Immigrant Advocates Demand Justice for Perez Family and an End to Jefferson Parish Sheriff's Office Collaboration with Immigration and Customs Enforcement*, New Orleans Workers' Ctr. for Racial Just. (June 8, 2018), <http://nowcrj.org/2018/06/08/immigrant-advocates-demand-justice-perez-family-end-jpsa-collaboration-ice>.

52 *Protecting Civil Rights*, *supra* note 27, at 161.

53 Departments consisting of only one officer were excluded because, according to many chiefs of police who spoke with the SPLC, these officers perform only limited functions. Many, for example, do not conduct traffic patrols. To determine the number of officers in an agency, the SPLC relied on publications by the Louisiana Commission on Law Enforcement and Administration of Criminal Justice, the Louisiana Association of Chiefs of Police, and phone calls and e-mail communications with select agencies. *Crime in Louisiana 2016*, La. Comm'n on Law Enf't & Admin. of Crim. Just. 56-60 tbls.25-27, 69 tbl.32, 72 tbl.34 (May 1, 2018), http://lcle.la.gov/programs/uploads/CIL_2016.pdf; *2016 Directory*, La. Ass'n of Chiefs of Police, https://lachiefs.org/wp-content/uploads/2016/11/LA-Directory_web.pdf (accessed June 18, 2018).

54 The responses to our survey are available online; a chart in the Appendix summarizes the policies' content and rates them for whether they contain prohibitions that are broad enough to cover both types of profiling.

55 Twenty-one agencies never responded to our public records request, in violation of the Louisiana Public Records Law's three-day deadline for responding. La. Rev. Stat. Ann. § 44:32(D) (West 2018).

56 See *supra* notes 47-50 and accompanying text.

57 These were the Arcadia, Jeanerette, and Lake Providence Police Departments (workplace harassment); the Mansura, Moreauville, and Plaquemine Police Departments ("courtesy" policies); the Berwick Police Department (equal-employment opportunity policy); and the Leesville Police Department (summary of training hours). The Bastrop Police Department's policy consists of a single sentence: "This policy will be governed by the City of Bastrop sexual harassment policy," which in turn governs workplace sexual harassment.

58 *Protecting Civil Rights*, *supra* note 27, at 161.

59 Tickfaw's policy contains other problematic language, including, "It is the policy of this department to patrol in a proactive manner, to aggressively investigate suspicious persons, circumstances [sic] and to actively enforce the motor vehicle laws, while insisting that citizens will only be stopped or detained when reasonable suspicion exists to believe they have committed, are committing or about to commit an infraction of the law." This sort of language encourages zero-tolerance- and broken-windows-style policing, in which police use any observed violation of the law to justify stopping a motorist or pedestrian. Moreover, this language misstates the legal standard for making an investigatory Terry stop. When a police officer has not observed any crime or infraction, the officer may make a Terry stop only if she thinks the suspect is involved in "criminal activity." *Terry v. Ohio*, 392 U.S. 1, 30 (1968). The officer has no authority to stop a motorist based on the belief that the person is "about to" exceed the speed limit or that a pedestrian is "about to" jaywalk, since these are almost always non-criminal infractions. Rather, if a person's only wrongdoing was a non-criminal infraction, the police must have probable cause, which usually requires real-time observation of an infraction, to justify a stop. In addition, Tickfaw's policy defines racial profiling as the "detention, or other deliberate treatment of any person based on their racial or ethnic status, or characteristics." The use of the word "deliberate" is a typo – every other policy the SPLC received that uses similar language uses the word "disparate," not "deliberate." Moreover, any police-initiated action like a stop, search, ticket, or arrest is a "deliberate," as opposed to a merely accidental, action, so it does not make sense to use that word in the definition.

60 *Good News of the Kingdom of God: An Interview with Paul Pomerville*, Pneuma Review (Apr. 28, 2018), <http://pneumareview.com/good-news-of-the-kingdom-of-god-an-interview-with-paul-pomerville>.

61 *About Lexipol*, Lexipol, <http://www.lexipol.com/about-us> (accessed Mar. 14, 2018). Lexipol has come under fire for focusing primarily on helping law enforcement agencies reduce their liability risk rather than helping them develop policies to provide better services. In addition, immigrants' rights and police-reform advocates in California have criticized Lexipol's policies on immigration enforcement as promoting unconstitutional behavior; at least one California police department rescinded its Lexipol-written policy as a result. See Ingrid V. Eagly & Joanna C. Schwartz, *Lexipol: The Privatization of Police Policymaking*, 96 Tex. L. Rev. 891, 908, 924, 928-29, 956 (2018).

62 La. Rev. Stat. Ann. § 32:398.10(E)-(F) (West 2018).

63 For example, the video at one point defines racial profiling as "[a]ny police-initiated action that relies upon race, ethnic, or national origin of an individual rather than the behavior of that individual or information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity." Videotape: Not in Our Agency, 11-42-12:02, 17:14-17:34 (La. State Police 2002) (copy on file with SPLC). The problem with this definition is that it does not prohibit police actions that would be permissible under the Fourth Amendment but that would violate the Equal Protection Clause, e.g., an officer who observes many motorists of different races and ethnicities committing traffic violations but decides to pull over mostly motorists of color would be selectively enforcing the law based on race and ethnicity. Even though these traffic

stops would violate the Equal Protection Clause, the officer has not committed racial profiling as the video defines it, because the officer can point to the traffic violations—“the behavior of th[ese] individual[s]”—to justify each stop without ever mentioning race or ethnicity. The video subsequently states, “A trooper shall NOT use race, gender, religion, national origin, or any other variable as a discriminatory factor in selecting whom to stop, search, or initiate police actions against.” *Id.* at 12:06-12:18; 17:37-17:50. This is a much stronger prohibition that applies to both Fourth Amendment and Equal Protection Clause violations. But because this subsequent statement disallows conduct that the first statement would permit, the overall effect of the video is confusing.

64 The only examples the video provides come from snippets of random interviews with individual Louisiana State Police troopers in which they respond to the question, “Just what is racial profiling?” In response, one officer says nothing more than “Stereotypes,” *id.* at 9:56-9:58, while another says, “Think of it this way: a law enforcement officer, acting in his position of power, plus a prejudicial attitude equals the formula for discrimination, and in this case, racial profiling,” *id.* at 11:22-11:36.

65 *Protecting Civil Rights*, *supra* note 27, at 164.

66 *Id.* at 164-66.

67 Int’l Ass’n of Chiefs of Police, *Unbiased Policing: Model Policy 2* (Dec. 2015) (“Officers who witness or who are aware of instances of biased policing shall report the incident to a supervisor. Also, where appropriate, officers are encouraged to intervene at the time the biased policing incident occurs.”) (copy on file with the SPLC).

68 Cal. Penal Code Ann. § 13519.4(h) (West 2018).

69 The Louisiana State Police should amend its template form to make clear that a person cannot be prosecuted simply because the Internal Affairs Division finds a complaint to be unfounded. Rather, a person may be prosecuted only for intentionally making a complaint the person knows to be false. La. Rev. Stat. Ann. § 14:133.5(A) (West 2018). The current language on the LSP form, “I fully understand that any false statement I make to the State Police Internal Affairs investigators or designee, in regard to this complaint may be a violation of LRS 14:133.5,” fails to make this clear. *Complainant*, La. Dep’t of Public Safety & Corr., Off. of State Police 5, <http://www.lsp.org/pdf/ComplaintAffidavit.pdf> (accessed Apr. 17, 2018). As a result, it may intimidate or dissuade people from lodging complaints. See *Ask the Advocate: Filing Complaints About Law Enforcement Officers*, The Advocate (Apr. 16, 2017), http://www.theadvocate.com/baton_rouge/news/article_8cf65fcc-0e72-11e7-8957-73f0a320d88c.html.

70 La. Rev. Stat. Ann. §§ 15:1212-1212.1 (West 2018). The database currently does not require law enforcement agencies to report disciplinary measures short of involuntary terminations, voluntary terminations in lieu of resignation, and resignations pending an investigation. *Id.* § 1212(B)(4), but agencies could voluntarily report other disciplinary actions to the database.

71 *State v. Ladson*, 979 P.2d 833, 842-43 (Wash. 1999) (“When determining whether a given stop is pretextual, the court should consider the totality of the circumstances, including both the subjective intent of the officer as well as the objective reasonableness of the officer’s behavior.”).

72 End Racial Profiling Act of 2017, H.R. 1498, 115th Cong. § 102 (2017), available at <https://www.congress.gov/115/bills/hr1498/BILLS-115hr1498ih.pdf> (establishing cause of action for declaratory and injunctive relief).

73 *Terry v. Ohio* opened the door to racial profiling by allowing police to stop and question people without probable cause that they had committed a crime; instead, officers need to articulate only the lower standard of “reasonable suspicion” to justify the stop and reasonable suspicion that the person is armed and dangerous to justify a frisk. *Terry v. Ohio*, 392 U.S. 1 (1968). The warrant requirement or another exception to the warrant requirement—e.g., probable cause that a crime has been committed—is sufficient to enable police to address crimes where no one is facing imminent harm. See Renée McDonald Hutchins, “Racial Profiling: The Law, the Policy, and the Practice,” in *Policing the Black Man: Arrest, Prosecution, and Imprisonment*, ed. Angela J. Davis (New York: Pantheon Books, 2017), 112, 124-25.

74 This would be similar to the End Racial Profiling Act’s provisions that would 1) condition receipt of Byrne and “Cops on the Beat” grants on an agency’s adoption of certain anti-profiling policies and practices; and 2) allow the U.S. Attorney General to withhold grants from agencies that fail to adopt these measures. End Racial Profiling Act, *supra* note 72, §§ 2(1), 201, 302(b).

75 Gretta L. Goodwin, *DOJ Grants Management: Justice Has Made Progress Addressing GAO Recommendations: Testimony Before the Subcommittee on Government Operations, Committee on Oversight and Government Reform, House of Representatives*, Gov’t Accountability Off. 5 (July 14, 2016), <https://www.gao.gov/assets/680/678440.pdf>. In FY17, Louisiana law enforcement agencies received \$4.7 million in Byrne grants. At least 40% of these funds must go directly to parish and municipal law enforcement agencies or be “passed through” to them by the Louisiana Commission on Law Enforcement and Administration of Criminal Justice (LCLE), while the remaining portion is retained by state law enforcement agencies. Federal law leaves it up to the State of Louisiana to approve law enforcement agencies’ applications for Byrne grants before they are submitted to the U.S. Department of Justice and to distribute residual pass-through funds to parish and local agencies. Therefore, the legislature should require LCLE to condition approval of applications and receipt of residual pass-through funds on agencies taking concrete steps to end racial profiling. *Fiscal Year (FY) 2017 State Edward Byrne Memorial Justice Assistance Grant (JAG) Allocations*, U.S. Dep’t of Just., Bureau of Just. Assistance, <https://www.bja.gov/Funding/17JAGStateAllocations.pdf> (accessed Apr. 17, 2018) (\$3.2 million directly to State of Louisiana, some of which must be passed through to local agencies); *2017 Louisiana Local JAG Allocations*, U.S. Dep’t of Just., Bureau of Just. Assistance, <https://www.bja.gov/Programs/JAG/jag17/17LA.pdf> (accessed Apr. 17, 2018) (\$1.5 million directly to local governments); 34 U.S.C.A. § 10156(b)(2) (West 2018) (direct funding from federal Bureau of Justice Assistance (BJA) to parish and local law enforcement agencies); *id.* § 10156(c)(2), (e)(2) (pass-through funding from state to parish and local law enforcement agencies); *id.* § 10156(b)(1), (c)(1) (direct funding from BJA to state law enforcement agencies); Alexia D. Cooper, *Justice Assistance Grant Program, 2016*, U.S. Dep’t of Just., Bureau of Just. Stat., NCJ 250157, at 5-6 (Sept. 2016), <https://www.bjs.gov/content/pub/pdf/jagp16.pdf> (explanation of funding allocations); Letter from Michael L. Alston, Dir., Off. for Civ. Rights, Off. of Just. Programs, U.S. Dep’t of Just., to Joseph M. Watson, Exec. Dir., La. Comm’n on Law Enf’t & Admin. of Crim. Just. 3 (May 15, 2012), <https://ojp.gov/about/ocr/pdfs/LA-08-OCR-0388.pdf> (explaining process for reviewing applications for federal grants, including submission of applications to LCLE for “final approval”); *Edward Byrne Memorial Justice Assistance Grant (JAG) Program Frequently Asked Questions (FAQs)*, U.S. Dep’t of Just., Bureau of Just. Assistance 2 (Aug. 2017), <https://www.bja.gov/Funding/JAGFAQ.pdf> (explaining that the state administering agency distributes pass-through funding); *Louisiana State Administering Agencies*, U.S. Dep’t of Just., Off. of Just. Programs, <https://ojp.gov/saa/la.htm> (accessed July 10, 2018) (LCLE is the “state administering agency” for Byrne grants in Louisiana).

76 The Council on Peace Officer Standards and Training is under LCLE’s jurisdiction. Most of the P.O.S.T. Council’s members come from LCLE, as does its staff. La. Rev. Stat. Ann. § 40:2403(B)(1) (West 2018). Under current law, the P.O.S.T. Council is explicitly authorized to revoke officer certifications based on a conviction of “malfeasance in office”; 2) a conviction of an offense that restricts a person’s right to carry a firearm; 3) involuntary termination by a law enforcement agency for a civil rights violation; 4) conviction of a misdemeanor for domestic abuse battery or any felony; 5) failure to complete additional training prescribed by the Council; or 6) a judicial ruling ordering decertification. *Id.* § 2405(J)(1)(2). For (3)-(6), the Council probably has to hold a hearing before revoking certifications on these grounds, but the law is unclear on this point. *Id.* § 2 (“The Council on Peace Officer Standards and Training may conduct a revocation hearing to determine whether the P.O.S.T. certification of any qualified peace officer, whether employed full-time, part-time, or reserve, shall be revoked if any of the following conditions occur.” (emphasis added)). Nothing in the current law explicitly bars the Council from revoking certifications for non-enumerated reasons, but it would be better to provide explicit authority for the Council to do this.

77 La. Rev. Stat. Ann. §§ 15:1212-1212.1 (West 2018).

78 Pursuant to La. Rev. Stat. Ann. § 15:1204(9) (West 2018), LCLE has the authority to promulgate rules to assist in approving and denying Byrne grants.

Louisiana Law Enforcement Agencies and Racial Profiling Policies

A 2001 Louisiana statute requires law enforcement agencies either to adopt a written policy against racial profiling or to submit data about traffic citations to the Louisiana Department of Public Safety and Corrections. To determine whether they have adopted anti-profiling policies, the SPLC conducted a survey of the 331 multi-officer law enforcement agencies in the state.

The following list shows the agencies that **1) have a policy that prohibits both types of racial profiling, i.e., the use of race to form unreasonable suspicion and racially selective enforcement of traffic and pedestrian laws; 2) have a policy that does not prohibit both types of profiling; 3) have no policy; and 4) did not respond to the survey.** Policies that fall into the first category are not necessarily well-written or effective in explaining to officers what racial profiling is and what conduct is prohibited. The SPLC does not endorse any of the policies excerpted below.

1) POLICY ON RACIAL PROFILING? YES

PROHIBITION IS BROAD ENOUGH? YES 112 AGENCIES

Addis Police Department
Ascension Parish Sheriff's Office
Baker Police Department
Ball Police Department
Basile Police Department
Baton Rouge City Constable's Office
Baton Rouge Metro Airport Police
Baton Rouge Police Department
Beauregard Parish Sheriff's Office
Benton Police Department
Blanchard Police Department
Bogalusa Police Department
Bossier City Police Department
Broussard Police Department
Caddo Parish Sheriff's Office
Calcasieu Parish Sheriff's Office
Cameron Parish Sheriff's Office
Carencro Police Department
Claiborne Parish Sheriff's Office
Delhi Police Department
Dixie Inn Police Department
Dodson Police Department
Doyline Police Department
Duson Police Department
East Feliciana Parish Sheriff's Office
Erath Police Department
Farmerville Police Department
Ferriday Police Department
Franklin Parish Sheriff's Office
Franklin Police Department
Franklinton Police Department
Georgetown Police Department
Golden Meadow Police Department
Gramercy Police Department
Greenwood Police Department
Hammond Police Department
Harrisonburg Police Department
Hodge Police Department
Houma Police Department
Iberia Parish Sheriff's Office
Iberville Parish Sheriff's Office
Iowa Police Department
Jefferson Parish Sheriff's Office
Kentwood Police Department
Kinder Police Department

Lafayette City Marshal's Office
Lafayette Parish Sheriff's Office
Lafayette Police Department
Lafourche Parish Sheriff's Office
Lake Charles Harbor Police
Lincoln Parish Sheriff's Office
Livingston Parish Sheriff's Office
Louisiana State University - Shreveport Police Department
Louisiana Tech Police Department
LSU Health Sciences Center - Monroe Police Department
LSU Health Sciences Center - Shreveport Police Department
Madison Parish Sheriff's Office
Many Police Department
Marksville Police Department
McNeese State University Police Department
Mer Rouge Police Department
Monroe Police Department
Morehouse Parish Sheriff's Office
Morgan City Police Department
Natchitoches Parish Sheriff's Office
Natchitoches Police Department
New Orleans Police Department
Oak Grove Police Department
Oakdale Police Department
Opelousas Police Department
Orleans Levee District Police Department
Ouachita Parish Sheriff's Office
Pearl River Police Department
Pineville Police Department
Plaquemines Parish Sheriff's Office
Pointe Coupee Parish Sheriff's Office
Ponchatoula Police Department
Port of New Orleans Harbor Police Department
Rayville Police Department
Red River Parish Sheriff's Office
Richland Parish Sheriff's Office
Richwood Police Department
Rosedale Police Department
Ruston Police Department
Sabine Parish Sheriff's Office
Sarepta Police Department
Scott Police Department
Shreveport Police Department
Sibley Police Department
St. Francisville Police Department

St. Helena Parish Sheriff's Office
St. James Parish Sheriff's Office
St. John the Baptist Parish Sheriff's Office
St. Martin Parish Sheriff's Office
St. Tammany Parish Sheriff's Office
Sunset Police Department
Tangipahoa Parish Sheriff's Office
Tensas Basin Levee District Police Department
Tensas Parish Sheriff's Office
Terrebonne Parish Sheriff's Office
Thibodaux Police Department
Union Parish Sheriff's Office
University of Louisiana - Lafayette Police Department
University of Louisiana - Monroe Police Department
Vermilion Parish Sheriff's Office
Vernon Parish Sheriff's Office
Walker Police Department
Washington Parish Sheriff's Office
West Baton Rouge Parish Sheriff's Office
West Feliciana Parish Sheriff's Office
Woodworth Police Department
Youngsville Police Department

2) POLICY ON RACIAL PROFILING? YES

PROHIBITION IS BROAD ENOUGH? NO 89 AGENCIES

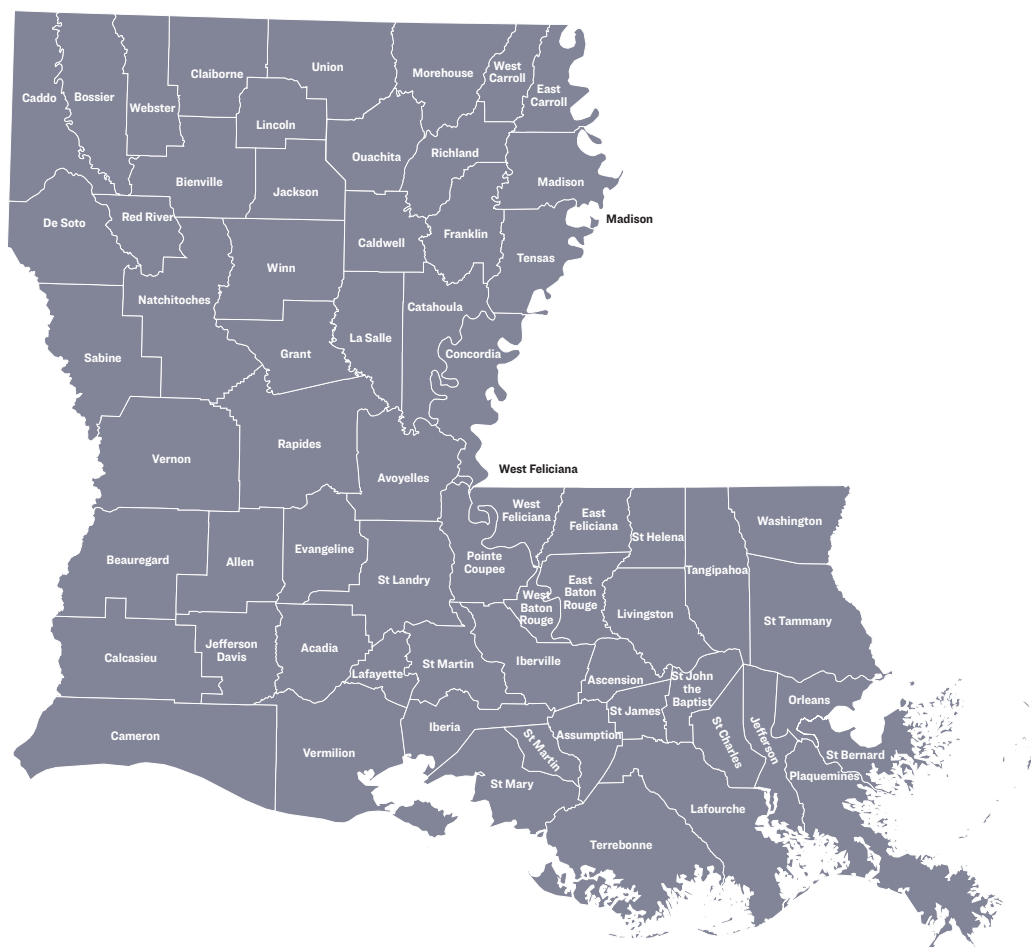
Abbeville Police Department
Alexandria Police Department
Allen Parish Sheriff's Department
Amite Police Department
Angie Police Department
Arcadia Police Department
Assumption Parish Sheriff's Office
Avoyelles Parish Sheriff's Office
Baldwin Police Department
Baskin Police Department
Bastrop Police Department
Berwick Police Department
Bienville Parish Sheriff's Office
Bossier Parish Sheriff's Office
Breaux Bridge Police Department
Catahoula Parish Sheriff's Office

Causeway Police Department
Choudrant Police Department
Church Point Police Department
Clinton Police Department
Collinston Police Department
Covington Police Department
Delcambre Police Department
Denham Springs Police Department
DeRidder Police Department
Dubach Police Department
East Baton Rouge Parish Sheriff's Office
East Jefferson Levee Police Department
Elizabeth Police Department
Elton Police Department
Eunice Police Department
Evangeline Parish Sheriff's Office
Glenmora Police Department
Gonzales Police Department
Grambling Police Department
Grand Coteau Police Department
Grayson Police Department
Greensburg Police Department
Gretna Police Department
Harahan Police Department
Houghton Police Department
Henderson Police Department
Homer Police Department
Independence Police Department
Jackson Parish Sheriff's Office
Jean Lafitte Police Department
Jeanerette Police Department
Jonesboro Police Department
Jonesville Police Department
Kenner Police Department
Lake Arthur Police Department
Lake Charles Police Department
Lake Providence Police Department
Leesville Police Department
Livonia Police Department
Louisiana State Police
Louisiana State University - Baton Rouge Police Department
LSU Health Sciences Center - New Orleans Police Department
Mandeville Police Department
Mangham Police Department
Mansfield Police Department
Mansura Police Department
McNary Police Department

Montgomery Police Department
 Moreauville Police Department
 Nicholls State University Police Department
 Northwestern State University Police Department
 Pineville Marshal's Office
 Plaucheville Police Department
 Pleasant Hill Police Department
 Port Barre Police Department
 Port Fourchon Harbor Police
 Rapides Parish Sheriff's Office
 Rayne Police Department
 Reeves Police Department
 Slidell Police Department
 Southeastern Louisiana University Police Department
 Southern University - New Orleans Police Department
 Southern University - Shreveport
 St. Bernard Parish Sheriff's Office
 St. Mary Parish Sheriff's Office
 Tickfaw Police Department
 Vidalia Police Department
 Ville Platte Police Department
 Vinton Police Department
 West Monroe Police Department
 Westwego Police Department
 Wilson Police Department
 Winn Parish Sheriff's Office

3) NO POLICY 109 AGENCIES

Acadia Parish Sheriff's Office
 Albany Police Department
 Anacoco Police Department
 Arnaudville Police Department
 Baton Rouge Community College Police Department
 Bernice Police Department
 Boyce Police Department
 Brusly Police Department
 Bunkie Police Department
 Caldwell Parish Sheriff's Office
 Campti Police Department
 Cankton Police Department
 Central Police Department
 Chataignier Police Department
 Chatham Police Department
 Cheneyville Police Department
 Columbia Police Department
 Concordia Parish Sheriff's Office
 Cottonport Police Department
 Creola Police Department
 Crowley Police Department
 Delgado Community College Police Department
 Delta Police Department
 DeQuincy Police Department
 DeSoto Parish Sheriff's Office
 East Carroll Parish Sheriff's Office
 Fenton Police Department
 Fisher Police Department
 Florian Police Department
 Folsom Police Department
 Forest Hill Police Department
 French Settlement Police Department
 Gilbert Police Department
 Grand Isle Police Department
 Grosse Tete Police Department
 Gueydan Police Department
 Hall Summit Police Department
 Haynesville Police Department
 Heflin Police Department
 Iota Police Department
 Jackson Police Department



Jefferson Davis Parish Sheriff's Office
 Jena Police Department
 Jennings Police Department
 Junction City Police Department
 Kaplan Police Department
 Killian Police Department
 Krotz Springs Police Department
 Lafayette Park Police Department
 LaSalle Parish Sheriff's Office
 Lecompte Police Department
 Leonville Police Department
 Livingston Police Department
 Louisiana State University - Alexandria Police Department
 Lutcher Police Department
 Madisonville Police Department
 Mamou Police Department
 Maringouin Police Department
 Melville Police Department
 Minden Police Department
 Mooringsport Police Department
 Napoleonville Police Department
 New Llano Police Department
 New Roads Police Department
 Norwood Police Department
 Oberlin Police Department
 Oil City Police Department
 Olla Police Department
 Orleans Parish Sheriff's Office
 Parks Police Department
 Patterson Police Department
 Pine Prairie Police Department

Pioneer Police Department
 Plain Dealing Police Department
 Plaquemine Police Department
 Pollock Police Department
 Port Allen Police Department
 Port Vincent Police Department
 Ringgold Police Department
 Robeline Police Department
 Rodessa Police Department
 Rosepine Police Department
 Sicily Island Police Department
 Slaughter Police Department
 Southern University - Baton Rouge Police Department
 Springfield Police Department
 Springhill Police Department
 St. Charles Parish Sheriff's Office
 St. Gabriel Police Department
 St. Joseph Police Department
 St. Landry Parish Sheriff's Office
 St. Martinville Police Department
 Sterlington Police Department
 Sulphur Police Department
 Tallulah Police Department
 Tullos Police Department
 Urania Police Department
 Varnado Police Department
 Vivian Police Department
 Washington Police Department
 Waterproof Police Department
 Webster Parish Sheriff's Office
 Welsh Police Department

West Carroll Parish Sheriff's Office
 Westlake Police Department
 White Castle Police Department
 Winnfield Police Department
 Wisner Police Department
 Zachary Police Department

4) NO RESPONSE 21 AGENCIES

Clayton Police Department
 Colfax Police Department
 Converse Police Department
 Cotton Valley Police Department
 Coshatta Police Department
 Cullen Police Department
 Estherwood Police Department
 Grambling State University Police Department
 Grant Parish Sheriff's Office
 Hessmer Police Department
 Lockport Police Department
 Maurice Police Department
 Merryville Police Department
 Natchez Police Department
 Newellton Police Department
 North Hodge Police Department
 Roseland Police Department
 Simmesport Police Department
 University of New Orleans Police Department
 Winnsboro Police Department
 Zwolle Police Department

A

ABBEVILLE POLICE DEPARTMENT // VERMILION PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “A person’s race/nationality, alone, shall not be considered as sufficient to constitute probable cause nor reasonable suspicion.”

ACADIA PARISH SHERIFF’S OFFICE // ACADIA PARISH
NO POLICY

ADDIS POLICE DEPARTMENT // WEST BATON ROUGE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, interdiction, or other differential treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

ALBANY POLICE DEPARTMENT // LIVINGSTON PARISH
NO POLICY

ALEXANDRIA POLICE DEPARTMENT // RAPIDES PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Omits situations where reasonable suspicion of a traffic violation is clear but officer targets motorists of color for stops: “All investigative detentions, traffic stops, arrests, searches and seizures or forfeitures of property by officers shall be based on a standard of reasonable suspicion or probable cause, not on the racial or ethnic status of any person.”

ALLEN PARISH SHERIFF’S DEPARTMENT // ALLEN PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “The stopping of individuals based solely on a common trait of a group, commonly known as ‘bias based profiling,’ is prohibited.”

AMITE POLICE DEPARTMENT // TANGIPAHOA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS One sentence long: “Amite City Police Department’s policy is to follow all local, state and federal laws regarding all investigations including racial profiling.” This merely restates the department’s obligations under the Constitution; it says nothing about what racial profiling is or what conduct is prohibited.

ANACOCO POLICE DEPARTMENT // VERNON PARISH
NO POLICY

ANGIE POLICE DEPARTMENT // WASHINGTON PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Racial profiling is defined as law enforcement-initiated action based on, but not limited to, an individual’s race ... ; rather than on the individual’s behavior or on information identifying the individual as having engaged in criminal activity... . Acts of Racial profiling: Acts initiating law enforcement action, such as a traffic stop, a subject stop, a search, issuance of a citation, or an arrest based solely upon an individual’s race ... rather than upon the individual’s behavior”

ARCADIA POLICE DEPARTMENT // BIENVILLE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Sent workplace harassment policy

ARNAUDVILLE POLICE DEPARTMENT // ST. LANDRY PARISH
NO POLICY

ASCENSION PARISH SHERIFF’S OFFICE // ASCENSION PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain, or search any person when such action is motivated by race, ethnicity” This statement is simpler and clearer than the policy’s definition of racial profiling, “the detention, interdiction, or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

ASSUMPTION PARISH SHERIFF’S OFFICE // ASSUMPTION PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Bias-based Profiling - Any police-initiated action that relies upon race ... rather than the behavior of that individual or information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.”

AVOUELLES PARISH SHERIFF’S OFFICE // AVOUELLES PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS One sentence long: “Deputies shall not stop, detain, or search anyone based solely on racial characteristics, ethnicity, gender, or sexual orientation.”

B

BAKER POLICE DEPARTMENT // EAST BATON ROUGE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain, or search any person when such action is motivated by race or ethnicity” This statement is simpler and clearer than the policy’s definition

of racial profiling, “The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

BALDWIN POLICE DEPARTMENT // ST. MARY PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “A person’s ... race, ethnicity ... or any combination of these shall not be a factor in determining probable cause for a traffic stop...”

BALL POLICE DEPARTMENT // RAPIDES PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, interdiction, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

BASILE POLICE DEPARTMENT // EVANGELINE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

BASKIN POLICE DEPARTMENT // FRANKLIN PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Contained in policy on arrests, which discusses the role of race only once, in a single sentence: “It is the policy of the Baskin Police Department to treat all individuals equally and fairly without regard to race, religion, sex, nationality or handicap.” This merely restates Baskin’s obligations under the U.S. Constitution and in no way makes clear what racial profiling is or what conduct is prohibited.

BASTROP POLICE DEPARTMENT // MOREHOUSE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS One sentence long: “This policy will be

governed by the City of Bastrop sexual harassment policy.”

BATON ROUGE CITY CONSTABLE’S OFFICE

EAST BATON ROUGE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Four sentences long, including “A member shall not discriminate against or show partiality to any person because of racial, ethnic, sexual, religious, political, or personal prejudice.” This merely restates the Constable’s Office’s obligations under the U.S. Constitution, so although its prohibition is broad enough, it in no way makes clear what racial profiling is or what conduct is prohibited.

BATON ROUGE COMMUNITY COLLEGE POLICE DEPARTMENT

EAST BATON ROUGE PARISH // **NO POLICY**

BATON ROUGE METRO AIRPORT POLICE

EAST BATON ROUGE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Contained in policy on standards of conduct: “Airport Police Officers shall not allow their law enforcement, fire, or first responder medical service decisions to be influenced by race, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation or age.” However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

BATON ROUGE POLICE DEPARTMENT

EAST BATON ROUGE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, interdiction, or other disparate treatment of individuals based solely on a common trait of a group.” Although the definition uses the word “solely,” the inclusion of “disparate treatment” does mean that the prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, the use of the word “solely” and the lack of any concrete examples or further elaboration on both types of racial profiling make the policy unclear as to what conduct is prohibited.

BEAUREGARD PARISH SHERIFF’S OFFICE

BEAUREGARD PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee or reserve deputy shall stop, detain or search any person when such action is motivated by race, color, ethnicity ...” This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention,

interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

BENTON POLICE DEPARTMENT // BOSSIER PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain, or search any person when such action is motivated by race, color, or ethnicity.” This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention, interdiction, or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

BERNICE POLICE DEPARTMENT // UNION PARISH
NO POLICY

BERWICK POLICE DEPARTMENT // ST. MARY PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Sent equal employment opportunity policy

BIENVILLE PARISH SHERIFF’S OFFICE // BIENVILLE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Two sentences long: “P-100 Purpose: The purpose of this policy is to ensure that race, ethnicity, age, gender or sexual orientation shall not be the sole basis for the detention, interdiction or other disparate treatment of any individual by any employee of the Bienville Parish Sheriff’s Office. P-101 Policy: It shall be the policy of the Bienville Parish Sheriff’s Office to prevent and prohibit the practice of racial profiling and/or any other discriminatory practice by employees of this Office.”

BLANCHARD POLICE DEPARTMENT // CADDO PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

BOGALUSA POLICE DEPARTMENT // WASHINGTON PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “Officers shall take equivalent enforcement actions and provide equal services to all persons in the same or similar circumstances. Officers shall not consider individual demographics when performing law enforcement duties or delivering public services except when such characteristics are part of a specific subject description.”

BOSSIER CITY POLICE DEPARTMENT // BOSSIER PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, or other disparate treatment of any person based on their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

BOSSIER PARISH SHERIFF’S OFFICE // BOSSIER PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Racial profiling is the inclusion of racial or ethnic characteristics in determining whether a person is considered likely to commit a particular type of crime or illegal act... . Stops or detentions based solely on race, color, or ethnicity are prohibited.”

BOYCE POLICE DEPARTMENT // RAPIDES PARISH
NO POLICY

BREAUX BRIDGE POLICE DEPARTMENT // ST. MARTIN PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Racial Profiling - Means the act of selecting or targeting a person(s) for law enforcement contact based exclusively on the individual’s race, ethnicity, or national origin and not upon reasonable suspicion sufficient to justify law enforcement initiated action or contact.”

BROUSSARD POLICE DEPARTMENT // LAFAYETTE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “Agency personnel may not consider the specified characteristics [including race] except when credible, timely intelligence relevant to the locality links a person or people of a specified characteristic to a specific unlawful incident, or to specific unlawful incidents, criminal patterns, or schemes. In those circumstances, personnel may rely on these specified characteristics only in combination with other appropriate factors.” The “Professional Traffic Stops” policy defines bias-based policing as “The detention, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” These prohibitions are broad enough. However, the “Bias-Free Policing” policy contains a vague definition of biased policing, “The inappropriate consideration of specified characteristics in carrying out duties,” which undermines the clarity of what these policies are trying to convey.

BRUSLY POLICE DEPARTMENT // WEST BATON ROUGE PARISH
NO POLICY

BUNKIE POLICE DEPARTMENT // AVOYELLES PARISH
NO POLICY

SPLC was informed that the policy “will be put in place.” Its text will say, “Individuals shall and will not be targeted by Law Enforcement Professional of the Bunkie Police Department due to their RACE, ETHNICITY, NATIONAL ORIGIN, and RELIGION OR FINANCIAL STATUS. People will not be humiliate or frighten by DETAINING, INTERROGATIONS AND SEARCHES WITHOUT EVDIENCE OF CRIMINAL ACTIVITY.... If an Officer is found practicing these acts, he or she will be relieved of duty.”

C

CADDO PARISH SHERIFF’S OFFICE // CADDO PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain or search any person when such action is motivated by race or ethnicity ...”
This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

CALCASIEU PARISH SHERIFF’S OFFICE // CALCASIEU PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain or search any person ... when such action is motivated by race, color, ethnicity ...” This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

CALDWELL PARISH SHERIFF’S OFFICE // CALDWELL PARISH
NO POLICY

CAMERON PARISH SHERIFF’S OFFICE // CAMERON PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain or search any person when such action is motivated by race or ethnicity ...”
This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

CAMPTI POLICE DEPARTMENT // NATCHITOCHES PARISH
NO POLICY

CANKTON POLICE DEPARTMENT // ST. LANDRY PARISH
NO POLICY

CARENCRO POLICE DEPARTMENT // LAFAYETTE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain, or search any person when such action is motivated by race, ethnicity ...”
This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention, interdiction or other disparate treatment of an individual on the basis of the race, ethnicity ... of such individual.”

CATAHOULA PARISH SHERIFF’S OFFICE // CATAHOULA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Racial profiling is the act of suspecting or targeting a person of a certain race based on a stereotype about their race, rather than on individual suspicion.” (underlining in original)

CAUSEWAY POLICE DEPARTMENT // ST. TAMMANY PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “The targeting and/or selecting individuals for enforcement action based *solely* on a common trait of a group, a personal bias, or prejudice based on race, ethnic background ... is prohibited.” (italics in original)

CENTRAL POLICE DEPARTMENT // EAST BATON ROUGE PARISH
NO POLICY

CHATAIGNIER POLICE DEPARTMENT // EVANGELINE PARISH
NO POLICY

CHATHAM POLICE DEPARTMENT // JACKSON PARISH
NO POLICY

CHENEYVILLE POLICE DEPARTMENT // RAPIDES PARISH
NO POLICY

CHOUDRANT POLICE DEPARTMENT // LINCOLN PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Any police-initiated action that relies upon race, ethnicity ... rather than the behavior of that individual or information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.”

CHURCH POINT POLICE DEPARTMENT // ACADIA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “‘Racial profiling’ means any action initiated by law enforcement that relies upon the race, ethnicity, or national origin of an individual rather than: (1) the behavior of that individual; or (2) information that leads law enforcement to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.”

CLAIBORNE PARISH SHERIFF'S OFFICE // CLAIBORNE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "No employee shall stop, detain or search any person when such action is motivated by race or ethnicity ..."
This statement is simpler and clearer than the policy's definition of racial profiling, "The detention, interdiction or other disparate treatment Of [sic] an individual on the basis of the racial or ethnic status of such individual."

CLAYTON POLICE DEPARTMENT // CONCORDIA PARISH
NO RESPONSE

CLINTON POLICE DEPARTMENT // EAST FELICIANA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS "No officer of the Clinton Police Department will make any traffic stop or detention of any persons based solely on their race, ethnicity ..."

COLFAX POLICE DEPARTMENT // GRANT PARISH
NO RESPONSE

COLLINSTON POLICE DEPARTMENT // MOREHOUSE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS "Targeting and/or selecting individuals for enforcement action based solely on a common trait of a group, a personal bias, or prejudice. This includes, but is not limited to, race, ethnic background ..."

COLUMBIA POLICE DEPARTMENT // CALDWELL PARISH
NO POLICY

CONCORDIA PARISH SHERIFF'S OFFICE
CONCORDIA PARISH // **NO POLICY**

CONVERSE POLICE DEPARTMENT // SABINE PARISH
NO RESPONSE

COTTON VALLEY POLICE DEPARTMENT // WEBSTER PARISH
NO RESPONSE

COTTONPORT POLICE DEPARTMENT // AVOYELLES PARISH
NO POLICY

COUSHATTA POLICE DEPARTMENT // RED RIVER PARISH
NO RESPONSE

COVINGTON POLICE DEPARTMENT // ST. TAMMANY PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS "The selection of individuals based solely on a trait common to a group for enforcement action. This includes, but is not limited to, race, ethnic background ..."

CREOLA POLICE DEPARTMENT // GRANT PARISH
NO POLICY

CROWLEY POLICE DEPARTMENT // ACADIA PARISH
NO POLICY

CULLEN POLICE DEPARTMENT // WEBSTER PARISH
NO RESPONSE

D

DELCAMBRE POLICE DEPARTMENT // IBERIA & VERMILION
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS "A person's ... race, ethnicity ... shall not be a factor in determining probable cause for a traffic stop or detention of a pedestrian."

DELGADO COMMUNITY COLLEGE POLICE DEPARTMENT
ORLEANS PARISH // **NO POLICY**

DELHI POLICE DEPARTMENT // RICHLAND PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "The detention or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics." This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment's Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

DELTA POLICE DEPARTMENT // MADISON PARISH
NO POLICY

DENHAM SPRINGS POLICE DEPARTMENT // LIVINGSTON PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Proposed Lexipol policy: "An inappropriate reliance on characteristics such as race, ethnicity, national origin ... as the basis for providing differing law enforcement service or enforcement." The policy nowhere defines "inappropriate reliance." OLD POLICY: "The detention, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics."

DEQUINCY POLICE DEPARTMENT // CALCASIEU PARISH
NO POLICY

DERIDDER POLICE DEPARTMENT // BEAUREGARD PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Proposed Lexipol policy: “An inappropriate reliance on characteristics such as race, ethnicity, national origin ... as the basis for providing differing law enforcement service or enforcement.” The policy nowhere defines inappropriate reliance. Old policy does not mention racial profiling.

DESOTO PARISH SHERIFF’S OFFICE // DESOTO PARISH
NO POLICY

DIXIE INN POLICE DEPARTMENT // WEBSTER PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Provides good examples of racial profiling, including “Stopping a particular driver, who is moving with the flow of traffic, simply because of the driver’s apparent race, ethnicity or national origin”; “Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, gender ... is unlikely to own or possesses [sic] that specific make or model of vehicle”; and “Detaining an individual based on a bias profile that an individual does not belong in a specific area or place.” These examples are much more helpful than the policy’s definition of “racial or bias profiling”: “The interdiction, stopping, detention, or other unequal treatment of any person based on race, ethnicity”

DODSON POLICE DEPARTMENT // WINN PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “Officers of this agency may consider race and ethnicity in deciding to take law enforcement action only when the employee possesses specific suspect information that is reliable and is likely to lead to the discovery of that individual,” though this is inconsistent with the policy’s own definition of racial profiling, “any law enforcement-initiated action that relies upon the race or ethnicity of an individual, rather than the behavior of that individual.”

DOYLINE POLICE DEPARTMENT // WEBSTER PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Provides good examples of racial profiling, including “Stopping a particular driver, who is moving with the flow of traffic, simply because of the driver’s apparent race, ethnicity or national origin”; “Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, gender ... is unlikely to own or possesses [sic] that specific make or model of vehicle”; and “Detaining an individual based on a bias profile that an individual does not belong in a specific area or place.” These examples are much more helpful than the policy’s definition of “racial or bias profiling”: “The interdiction, stopping, detention, or other unequal treatment of any person based on race, ethnicity”

DUBACH POLICE DEPARTMENT // LINCOLN PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “In the absence of a specific, credible report containing a physical description, a person’s race, ethnicity, gender or sexual orientation or any combination of these shall not be a factor in determining probable cause for an arrest or reasonable suspicion for a stop.”

DUSON POLICE DEPARTMENT
ACADIA & LAFAYETTE PARISHES
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No officer shall stop, detain, or search any person when such action is motivated by race, ethnicity” This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention, interdiction, or other disparate treatment of an individual on the basis of the race, ethnicity ... of such individual.”

E

EAST BATON ROUGE PARISH SHERIFF’S OFFICE
EAST BATON ROUGE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “any police initiated action that relies upon race, ethnicity, ... of and [sic] individual rather than the behavior of that individual or information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity”

EAST CAROLL PARISH SHERIFF’S OFFICE // East Caroll Parish
NO POLICY

EAST FELICIANA PARISH SHERIFF’S OFFICE
EAST FELICIANA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Provides good examples of racial profiling, including “Stopping a particular driver, who is speeding in a stream of traffic where other drivers are speeding because of the driver’s apparent race, ethnicity or national origin”; “Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, gender ... is unlikely to own or possesses [sic] that specific make or model of vehicle”; and “Detaining an individual based on a bias profile that an individual does not belong in a specific area or place.” These examples are much more helpful than the policy’s definition of “racial or bias profiling”: “The interdiction, stopping, detention, or other unequal treatment of any person based on race, ethnicity”

EAST JEFFERSON LEVEE POLICE DEPARTMENT
JEFFERSON PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**

POLICY EXCERPTS Two sentences long: “The East Jefferson Levee District Police Department’s personnel are prohibited under the penalty of administrative action up to and including dismissal, to stop [sic] any individual based solely on an individual’s race, creed, or national origin. Any stop of individuals made within the jurisdiction of the East Jefferson Levee District Police Department must be based on reasonable suspicion, requests from other law enforcement agencies, probable cause, or laws subject to enforcement by the East Jefferson Levee District.”

ELIZABETH POLICE DEPARTMENT // ALLEN PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Targeting and/or selecting individuals for enforcement action based *solely* on a common trait of a group, a personal bias, or prejudice. This includes, but is not limited to, race, ethnic background” (italics in original)

ELTON POLICE DEPARTMENT // JEFFERSON DAVIS PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Racial profiling is any law enforcement-initiated action based on an individual’s race, ethnicity, or national origin rather than on the individual’s behavior or information identifying the individual as having engaged in criminal activity.”

ERATH POLICE DEPARTMENT // VERMILION PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain or search any person when such action is motivated by race, color, ethnicity” This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of the individual.”

ESTHERWOOD POLICE DEPARTMENT // ACADIA PARISH
NO RESPONSE

EUNICE POLICE DEPARTMENT // ST. LANDRY PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS One sentence long: “An employee shall conform to and abide by the laws of the United States, the State of Louisiana, all other states of the United States, and subdivision thereof.” This merely restates the department’s obligations under the Constitution; it says nothing about what racial profiling is or what conduct is prohibited.

EVANGELINE PARISH SHERIFF’S OFFICE // EVANGELINE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Racial profiling is any law enforcement-initiated action based on an individual’s race, ethnicity, or national origin rather than on the individual’s behavior or information identifying the individual as having engaged in criminal activity.”

F

FARMERVILLE POLICE DEPARTMENT // UNION PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Provides good examples of racial profiling, including “Stopping a particular driver, who is moving with the flow of traffic, simply because of the driver’s apparent race, ethnicity or national origin”; “Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, gender ... is unlikely to own or possesses [sic] that specific make or model of vehicle”; and “Detaining an individual based on a bias profile that an individual does not belong in a specific area or place.” These examples are much more helpful than the policy’s definition of “racial or bias profiling”: “The interdiction, stopping, detention, or other unequal treatment of any person based on race, ethnicity”

FENTON POLICE DEPARTMENT // Jefferson Davis Parish
NO POLICY

FERRIDAY POLICE DEPARTMENT // CONCORDIA PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Provides good examples of racial profiling, including “Stopping a particular driver who is moving with the flow of traffic simply because of the driver’s apparent race, ethnicity or national origin”; “Detaining the driver of a vehicle ***based on*** the determination that a person of that race, ethnicity, gender ... is unlikely to own or possesses [sic] that specific make or model of vehicle”; and “Detaining an individual based on a bias profile that an individual does not belong in a specific area or place.” These examples are much more helpful than the policy’s definition of “racial or bias profiling”: “The interdiction, stopping, detention, or other unequal treatment of any person based on race, ethnicity” (bold and italics in original).

FISHER POLICE DEPARTMENT // Sabine Parish
NO POLICY

FLORIEN POLICE DEPARTMENT // Sabine Parish
NO POLICY

FOLSOM POLICE DEPARTMENT // St. Tammany Parish
NO POLICY

FOREST HILL POLICE DEPARTMENT // Rapides Parish
NO POLICY

FRANKLIN PARISH SHERIFF’S OFFICE // FRANKLIN PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain, or search any person when such action is motivated by race, color, ethnicity” This prohibition is simpler and clearer than the policy’s

definition of racial profiling, “The detention, interdiction, or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

FRANKLIN POLICE DEPARTMENT // ST. MARY PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**

POLICY EXCERPTS “The detention or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy makes the reader do a lot of work to understand what conduct is prohibited.

FRANKLINTON POLICE DEPARTMENT // WASHINGTON PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**

POLICY EXCERPTS Provides good examples of racial profiling, including “Stopping a particular driver, who is speeding in a stream of traffic where other drivers are speeding because of the driver’s apparent race, ethnicity or national origin”; “Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, gender ... is unlikely to own or possesses [sic] that specific make or model of vehicle”; and “Detaining an individual based on a bias profile that an individual does not belong in a specific area or place.” These examples are much more helpful than the policy’s definition of “racial or bias profiling”: “The interdiction, stopping, detention, or other unequal treatment of any person based on race, ethnicity”

FRENCH SETTLEMENT POLICE DEPARTMENT

Livingston Parish // **NO POLICY**

GEORGETOWN POLICE DEPARTMENT // GRANT PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**

POLICY EXCERPTS “The interdiction, stopping, detention, or other unequal treatment of any person based on race, ethnicity, gender, or any combination thereof.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy makes the reader do a lot of work to understand what conduct is prohibited.

G

GILBERT POLICE DEPARTMENT // Franklin Parish

NO POLICY

GLENMORA POLICE DEPARTMENT // RAPIDES PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**

POLICY EXCERPTS “All investigative detentions, traffic stops, arrests, searches and seizures or forfeitures of property by officers will be based on a standard of reasonable suspicion or probable cause, not on the racial or ethnic status of any person.”

GOLDEN MEADOW POLICE DEPARTMENT

LAFOURCHE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**

POLICY EXCERPTS “[T]he detention or disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy makes the reader do a lot of work to understand what conduct is prohibited.

GONZALES POLICE DEPARTMENT // ASCENSION PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**

POLICY EXCERPTS Contained in ethics policy, which discusses the role of race only once, in a single sentence: “Members shall not ... express any prejudice concerning race”

GRAMBLING POLICE DEPARTMENT // LINCOLN PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**

POLICY EXCERPTS Policy concerns only complaints of racial profiling and does not say what conduct is prohibited.

GRAMBLING STATE UNIVERSITY POLICE DEPARTMENT

Lincoln Parish

NO RESPONSE

GRAMERCY POLICE DEPARTMENT // St. James Parish

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**

POLICY EXCERPTS “The detention, or other disparate treatment of any person based on their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer

would not have made the stop if the person were white, which violates the Fourteenth Amendment's Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy makes the reader do a lot of work to understand what conduct is prohibited.

GRAND COTEAU POLICE DEPARTMENT // ST. LANDRY PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Contained in courtesy policy, which discusses the role of race only once, in a single sentence: "A member shall at all times while on duty or in uniform refrain from using coarse, violent, profane or insolent language and from voicing any bias or prejudice concerning race, religion, politics, national origin, lifestyle or similar personal characteristics."

GRAND ISLE POLICE DEPARTMENT // Jefferson Parish
NO POLICY // Sent Gretna Police Department's policy on workplace harassment.

GRANT PARISH SHERIFF'S OFFICE // GRANT PARISH
NO RESPONSE

GRAYSON POLICE DEPARTMENT // CALDWELL PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS "Biased Based Profiling - Targeting and/or selecting individuals for enforcement action based *solely* on a common trait of a group, a personal bias, or prejudice." (italics in original)

GREENSBURG POLICE DEPARTMENT // ST. HELENA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS "Any police-initiated action that relies upon race, ethnicity, gender, sexual orientation, or national origin of an individual rather than behavior of that individual or information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity."

GREENWOOD POLICE DEPARTMENT // CADDO PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "The detention, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics." This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment's Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

GRETNA POLICE DEPARTMENT // JEFFERSON PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Contained in policy on arrests, which discusses the role of race only once, in a single sentence: "It is the policy of the Gretna Police Department to treat all individuals equally and fairly without regard to race, religion, sex, nationality or handicap." This merely restates the department's obligations under the Constitution; it says nothing about what racial profiling is or what conduct is prohibited.

GROSSE TETE POLICE DEPARTMENT // Iberville Parish
NO POLICY

GUEYDAN POLICE DEPARTMENT // Vermilion Parish
NO POLICY

H

HALL SUMMIT POLICE DEPARTMENT // Red River Parish
NO POLICY

HAMMOND POLICE DEPARTMENT // TANGIPAHOA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "No officer shall consider the race, ethnicity, gender, or economic status of any citizen in deciding whether to detain an individual and/or stop or search a vehicle." This statement is simpler and clear than the policy's definition of racial profiling, "the detention, interdiction, or other disparate treatment of an individual primarily on the basis of the racial or ethnic status of such individual."

HARAHAN POLICE DEPARTMENT // JEFFERSON PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Any police-initiated action that relies upon race, ethnicity, gender, sexual orientation, or national origin of an individual rather than the behavior of that individual or information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity"

HARRISONBURG POLICE DEPARTMENT // CATAHOULA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "Members of the department shall not act in such a manner as to deprive any member of the community of the equal protection of the laws, and shall not evidence bias in the performance of their duties. This regulation is intended to prohibit omissions, as well as specific actions which are based on citizens' race, color, sex, age, handicap, national origin, sexual orientation, political or fraternal affiliation, or economic status." Although the policy's prohibition is broad enough in the sense

that it covers the U.S. Constitution, the policy in no way makes clear what racial profiling is and what conduct is prohibited.

HAUGHTON POLICE DEPARTMENT // BOSSIER PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**

POLICY EXCERPTS “the inclusion of racial or ethnic characteristics in determining whether a person is considered likely to commit a particular type of crime or illegal act”

HAYNESVILLE POLICE DEPARTMENT // Claiborne Parish
NO POLICY

HEFLIN POLICE DEPARTMENT // Webster Parish
NO POLICY

HENDERSON POLICE DEPARTMENT // ST. MARTIN PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**

POLICY EXCERPTS Contained in ethics policy, which discusses the role of race only once, in a single sentence: “Race, color, religion, age, sex, political beliefs or other personal opinions shall not interfere with the equal administration of justice to all citizens within this jurisdiction.” This merely restates the department’s obligations under the Constitution; it says nothing about what racial profiling is or what conduct is prohibited.

HESSMER POLICE DEPARTMENT // AVOYELLES PARISH
NO RESPONSE

HODGE POLICE DEPARTMENT // JACKSON PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**

POLICY EXCERPTS “The detention or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

HOMER POLICE DEPARTMENT // CLAIBORNE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**

POLICY EXCERPTS Code of conduct mentions race only twice: “In the performance of their duties, officers shall not use course, [sic] violent, profane or insolent language or gestures, and shall not express any prejudice concerning race, religion, politics, national origin, life-style or similar personal characteristics.” and “Exhibiting partiality for or against a person solely because of that person’s sex, race, creed, or national origin is strictly prohibited and may subject the deputy to discipline.”

HOUMA POLICE DEPARTMENT // TERREBONNE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**

POLICY EXCERPTS “The detention, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

IBERIA PARISH SHERIFF’S OFFICE // IBERIA PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**

POLICY EXCERPTS “No Deputy shall stop, detain or search any person when such action is motivated by race, color, ethnicity, age, gender or sexual orientation.” This statement is simpler and clearer than the policy’s definition of racial profiling, “Selection for detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

IBERVILLE PARISH SHERIFF’S OFFICE // IBERVILLE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**

POLICY EXCERPTS “[T]he detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

INDEPENDENCE POLICE DEPARTMENT

TANGIPAHOA PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**

POLICY EXCERPTS Uses Lexipol policy: “An inappropriate reliance on characteristics such as race, ethnicity, national origin ... as the basis for providing differing law enforcement service or enforcement.” The policy nowhere defines “inappropriate reliance.”

IOTA POLICE DEPARTMENT // ACADIA PARISH
NO POLICY

IOWA POLICE DEPARTMENT // CALCASIEU PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Provides good examples of racial profiling, including “Stopping a particular driver who is moving with the flow of traffic simply because of the driver’s apparent race, ethnicity or national origin”; “Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, gender ... is unlikely to own or possesses [sic] that specific make or model of vehicle”; and “Detaining an individual based on a bias profile that an individual does not belong in a specific area or place.” These examples are much more helpful than the policy’s definition of “racial or bias profiling”: “The interdiction, stopping, detention, or other unequal treatment of any person based on race, ethnicity ... “

J

JACKSON PARISH SHERIFF’S OFFICE // JACKSON PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Any police-initiated action that relies upon race, ethnicity ... rather than the behavior of that individual or information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity”

JACKSON POLICE DEPARTMENT // EAST FELICIANA PARISH
NO POLICY

JEAN LAFITTE POLICE DEPARTMENT // JEFFERSON PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS One sentence long: “A member shall not discriminate against or show partiality to any person, because of racial or ethnic, religious, political, or personal prejudice.” This merely restates the department’s obligations under the Constitution; it says nothing about what racial profiling is or what conduct is prohibited.

JEANERETTE POLICE DEPARTMENT // IBERIA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Sent workplace harassment policy

JEFFERSON DAVIS PARISH SHERIFF’S OFFICE
JEFFERSON DAVIS PARISH // **NO POLICY**

JEFFERSON PARISH SHERIFF’S OFFICE
JEFFERSON PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, interdiction or other disparate

treatment of any person on the basis of their racial, ethnic, religious affiliation or gender-based status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

JENA POLICE DEPARTMENT // LASALLE PARISH
NO POLICY

JENNINGS POLICE DEPARTMENT
JEFFERSON DAVIS PARISH // **NO POLICY**

JONESBORO POLICE DEPARTMENT // JACKSON PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “any law enforcement-initiated action that relies upon the race or ethnicity of an individual, rather than the behavior of that individual”

JONESVILLE POLICE DEPARTMENT // CATAHOULA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Will adopt Vidalia’s policy: “All investigative detentions, traffic stops, arrests, searches and seizures or forfeitures of property by officers shall be based on a standard of reasonable suspicion or probable cause, not on the racial or ethnic status of any person.”

JUNCTION CITY POLICE DEPARTMENT // CLAIBORNE PARISH
NO POLICY

K

KAPLAN POLICE DEPARTMENT // VERMILION PARISH
NO POLICY

KENNER POLICE DEPARTMENT // JEFFERSON PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Targeting and/or selecting individuals for enforcement action based solely on a common trait of a group, a personal bias, or prejudice. This includes, but is not limited to, race, ethnic background ... ” (italics in original)

KENTWOOD POLICE DEPARTMENT // TANGIPAHOA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, interdiction or other disparate

treatment of individuals based solely on a common trait of a group. This includes race, ethnic background" This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment's Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

**KILLIAN POLICE DEPARTMENT // LIVINGSTON PARISH
NO POLICY**

KINDER POLICE DEPARTMENT // ALLEN PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Sent draft policy. Provides good examples of racial profiling, including "stopping a particular driver, who is moving with the flow of traffic, simply because of the driver's apparent race, ethnicity or national origin"; "Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, gender ... is unlikely to own or possesses [sic] that specific make or model of vehicle"; and "Detaining an individual based on a bias profile that an individual does not belong in a specific area or place." These examples are much more helpful than the policy's definition of "racial or bias profiling": "The interdiction, stopping, detention, or other unequal treatment of any person based on race, ethnicity"

**KROTZ SPRINGS POLICE DEPARTMENT
ST. LANDRY PARISH // NO POLICY**

L

LAFAYETTE CITY MARSHAL'S OFFICE // LAFAYETTE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "No officer shall stop, detain, or search any person when such action is motivated by race, ethnicity" This statement is simpler and clearer than the policy's definition of bias-based profiling, "The detention, interdiction, or other disparate treatment of an individual on the basis of the race, ethnicity ... of such individual."

LAFAYETTE PARISH SHERIFF'S OFFICE // LAFAYETTE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "No officer shall stop, detain, or search any person when such action is motivated by race, ethnicity" This statement is simpler and clearer than the policy's definition of bias-based profiling, "The detention, interdiction, or other disparate treatment of an individual on the basis of the race,

ethnicity ... of such individual."

**LAFAYETTE PARK POLICE DEPARTMENT // LAFAYETTE PARISH
NO POLICY**

LAFAYETTE POLICE DEPARTMENT // LAFAYETTE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "The detention, interdiction, or other disparate treatment of individuals based solely on a common trait of a group. This includes race, ethnic background" This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment's Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

LAFOURCHE PARISH SHERIFF'S OFFICE // LAFOURCHE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "No employee shall stop, detain or search any person when such action is motivated by race, color, ethnicity" This statement is simpler and clearer than the policy's definition of bias-based profiling, "the detention, interdiction, or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual."

LAKE ARTHUR POLICE DEPARTMENT // JEFFERSON DAVIS
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS "Officers shall actively enforce local, state and federal laws in a responsible and professional manner without regard to race, ethnicity or national origin. Officers are strictly prohibited from engaging in racial profiling as defined in this policy [it is nowhere defined]. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians."

LAKE CHARLES HARBOR POLICE // CALCASIEU PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Provides good examples of racial profiling, including "Stopping a particular driver who is speeding in a stream of traffic where most other drivers are speeding because of the cited driver's race, ethnicity or national origin"; "Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, gender ... is unlikely to own or possess that specific make or model of vehicle"; and "Detaining an individual based upon the determination that a person of that race, ethnicity or national origin does not belong in a specific Port owned property or any streets or approaches thereto." These examples are much more helpful than the policy's definition of racial profiling, "A law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the

individual's behavior or on information identifying the individuals as having engaged in criminal activity"--especially because this definition is not broad enough to cover pretextual stops that violate the Equal Protection Clause because the officer was motivated by race.

LAKE CHARLES POLICE DEPARTMENT // CALCASIEU PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS "The selection of individuals based solely on a trait common to a group for enforcement action. These traits include but are not limited to race, color, ethnic background"

LAKE PROVIDENCE POLICE DEPARTMENT
EAST CARROLL PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Sent workplace harassment policy.

LASALLE PARISH SHERIFF'S OFFICE // LASALLE PARISH
NO POLICY

LECOMPTÉ POLICE DEPARTMENT // RAPIDES PARISH
NO POLICY

LEESVILLE POLICE DEPARTMENT // VERNON PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Sent summary of training hours

LEONVILLE POLICE DEPARTMENT // ST. LANDRY PARISH
NO POLICY

LINCOLN PARISH SHERIFF'S OFFICE // LINCOLN PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "The detention, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics." This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment's Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

LIVINGSTON PARISH SHERIFF'S OFFICE
LIVINGSTON PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "No employee shall stop, detain or search any person which [sic] such action is motivated by race or ethnicity" This statement is simpler and clearer than the policy's definition of racial profiling, "The detention, interdiction or other disparate treatment of an individual on the basis of the racial or

ethnic status of such individual."

LIVINGSTON POLICE DEPARTMENT // LIVINGSTON PARISH
NO POLICY

LIVONIA POLICE DEPARTMENT // POINTE COUPEE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS "The detention or other desperate [sic] treatment of any person on the basis of their racial or ethnic status or characteristics." This is a typo and should be "disparate." Because the policy as written does not clearly prohibit disparate treatment based on race, its prohibition is not broad enough to cover both types of racial profiling.

LOCKPORT POLICE DEPARTMENT // LAFOURCHE PARISH
NO RESPONSE

LOUISIANA STATE POLICE // LOUISIANA STATE POLICE
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS "Any police-initiated action that relies upon race, ethnicity, gender, sexual orientation, or national origin of an individual rather than the behavior of that individual or information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity"

LOUISIANA STATE UNIVERSITY - ALEXANDRIA POLICE DEPARTMENT // RAPIDES PARISH // **NO POLICY**

LOUISIANA STATE UNIVERSITY - BATON ROUGE POLICE DEPARTMENT // EAST BATON ROUGE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS "targeting and/or selecting individuals for enforcement action based solely on an individual's race, ethnicity ... "

LOUISIANA STATE UNIVERSITY - SHREVEPORT POLICE DEPARTMENT // Caddo Parish
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "The detention, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics." This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment's Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

LOUISIANA TECH POLICE DEPARTMENT // LINCOLN PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

LSU HEALTH SCIENCES CENTER - MONROE POLICE DEPARTMENT // OUACHITA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention or other disparate treatment of any persons on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

LSU HEALTH SCIENCES CENTER - NEW ORLEANS POLICE DEPARTMENT // Orleans Parish
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “[W]hile the University Police will continue to proactively patrol, investigate, respond, assist, and protect the citizens in its jurisdiction, the department does not and shall not encourage, condone, submit to, or allow racial profiling and/or any related nefarious activities by any of its personnel.” This is the only mention of race in the policy, which nowhere defines racial profiling or explains what specific conduct is prohibited.

LSU HEALTH SCIENCES CENTER - SHREVEPORT POLICE DEPARTMENT // Caddo Parish
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention or other disparate treatment of any persons on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which

violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

LUTCHER POLICE DEPARTMENT // ST. JAMES PARISH
NO POLICY

M

MADISON PARISH SHERIFF’S OFFICE // MADISON PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain or search any person when such action is motivated by race or ethnicity ...”
This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

MADISONVILLE POLICE DEPARTMENT
ST. TAMMANY PARISH // **NO POLICY**

MAMOU POLICE DEPARTMENT // EVANGELINE PARISH
NO POLICY

MANDEVILLE POLICE DEPARTMENT // ST. TAMMANY PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “The selection of individuals based solely on a trait common to a group for enforcement action. This includes, but is not limited to, race, ethnic background ...”

MANGHAM POLICE DEPARTMENT // RICHLAND PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Missing first pages of the policy. “[R]ace ... shall not be a factor in determining ... reasonable suspicion for a stop.”

MANSFIELD POLICE DEPARTMENT // DESOTO PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “No employee’s enforcement action, inaction or degree of severity shall be influenced by malice or vengeance or because of [sic] prejudice based upon race ...” An officer need not be motivated by malice or vengeance on the basis of race to engage in racial profiling. Even casual prejudice on the basis of race that motivates the officer to make a stop qualifies as racial profiling if the officer has manufactured unreasonable suspicion or is making the stop after the person commits an easily observable violation but the officer would not have made the stop if the person had been white.

MANSURA POLICE DEPARTMENT // AVOYELLES PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Sent “Courtesy” policy, which mentions race once: “A member shall at all time [sic] while on duty or in uniform refrain from using coarse, violent, profane or insolent language and not [sic] voicing any bias or prejudice concerning race, religion, politics, national origin, lifestyle or similar personal characteristics.”

MANY POLICE DEPARTMENT // SABINE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, interdiction, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

MARINGOUIN POLICE DEPARTMENT // IBERVILLE PARISH
NO POLICY

MARKSVILLE POLICE DEPARTMENT // AVOYELLES PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

MAURICE POLICE DEPARTMENT // VERMILION PARISH
NO RESPONSE

MCNARY POLICE DEPARTMENT // RAPIDES PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Racial and other forms of profiling is a practice that seeks to criminalize citizens and resident aliens based on subjective determinations based not on the probable cause of the event of criminal behavior but as a reflection of the prejudices of the officer using this method. Profiling is a practice that will not be tolerated in this agency. Arrests, interrogations,

detentions and traffic enforcement shall not result from profiling but will only take place as a result of the legitimate enforcement of municipal ordinances and State laws.”

MCNEESE STATE UNIVERSITY POLICE DEPARTMENT
CALCASIEU PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain or search any person, seize any property or initiate asset forfeiture proceedings, when such action is motivated by race ...” This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention, interdiction or other disparate treatment of an individual based solely upon the racial, ethnic, religious or national origin status of such individual.”

MELVILLE POLICE DEPARTMENT // ST. LANDRY PARISH
NO POLICY

MER ROUGE POLICE DEPARTMENT // MOREHOUSE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Provides good examples of racial profiling, including “Stopping a particular driver, who is moving with the flow of traffic, simply because of the driver’s apparent race, ethnicity or national origin”; “Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, gender ... is unlikely to own or possesses [sic] that specific make or model of vehicle”; and “Detaining an individual based on a bias profile that an individual does not belong in a specific area or place.” These examples are much more helpful than the policy’s definition of “racial or bias profiling”: “The interdiction, stopping, detention, or other unequal treatment of any person based on race, ethnicity ... “

MERRYVILLE POLICE DEPARTMENT // BEAUREGARD PARISH
NO RESPONSE

MINDEN POLICE DEPARTMENT // WEBSTER PARISH
NO POLICY

MONROE POLICE DEPARTMENT // OUACHITA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Provides good examples of racial profiling, including “Detaining a driver who is speeding in a stream of traffic, where other drivers are speeding, because of the driver’s race, ethnicity, or national origin”; “Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess that specific make or model of vehicle”; and “Detaining an individual based on the determination that a person of that race, ethnicity, or national origin does not belong in a specific part of town or a specific place.” These examples are much more helpful than the policy’s definition of bias-based profiling: “The detention, interdiction, search or seizure of any person based upon the

person's ... race ... ethnicity, national origins ... "

MONTGOMERY POLICE DEPARTMENT // GRANT PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS "any law enforcement-initiated action that relies upon the race or ethnicity of an individual, rather than the behavior of that individual"

MOORINGSPOUT POLICE DEPARTMENT // CADDO PARISH
NO POLICY

MOREAUVILLE POLICE DEPARTMENT // AVOYELLES PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Sent "Courtesy" policy, which mentions race once: "A member shall at all times while on duty or in uniform refrain from using coarse, violent, profane or insolent language and from voicing any bias or prejudice concerning race, religion, politics, national origin, lifestyle or similar personal characteristics."

MOREHOUSE PARISH SHERIFF'S OFFICE
MOREHOUSE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "No member shall stop, detain, or search any person when such action is motivated by race" This statement is simpler and clearer than the policy's definition of racial profiling, "the detention, interdiction, or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual."

MORGAN CITY POLICE DEPARTMENT // ST. MARY PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "Officers shall not consider individual demographics when performing law enforcement duties or performing police services except when ... such characteristics are part of a specific suspect description." This statement is simpler and clearer than the policy's definition of biased profiling, "Discrimination in the performance of law enforcement duties or delivery of police services, based on personal prejudices or partiality of officers toward classes of individuals or persons based on individual demographics."

N

NAPOLÉONVILLE POLICE DEPARTMENT
ASSUMPTION PARISH // **NO POLICY**

NATCHEZ POLICE DEPARTMENT // NATCHITOCHES PARISH
NO RESPONSE

NATCHITOCHES PARISH SHERIFF'S OFFICE
NATCHITOCHES PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "No employee shall stop, detain or search any person when such action is motivated by race" This statement is simpler and clearer than the policy's definition of racial profiling, "The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual."

NATCHITOCHES POLICE DEPARTMENT
NATCHITOCHES PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "The interdiction, stopping, detention, or other unequal treatment of any person based on race, ethnicity, gender, or any combination thereof." This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment's Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

NEW LLANO POLICE DEPARTMENT // VERNON PARISH
NO POLICY

NEW ORLEANS POLICE DEPARTMENT // ORLEANS PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS In "Bias Free Policing" policy: "Actual or perceived race, color, ethnicity ... shall not be a motivating factor to any degree in any law enforcement decision, including the decision to take no action, or in the selection or rejection of particular tactics and strategies." It's unfortunate that the same policy later defines bias-based policing as an "inappropriate reliance, to any degree on characteristics, whether actual or perceived, such as race ... in deciding whether to take law enforcement action or to provide any form or type of service. Inappropriate reliance includes selecting an individual for law enforcement contact or police action, including a stop, use of force, detention, search, issuance of citation, or arrest, based on any of the characteristics listed above as well as the selective enforcement or non-enforcement of the law, i.e., discriminatory policing or 'profiling.'" This prohibition is not as clear as the first statement.

NEW ROADS POLICE DEPARTMENT // POINTE COUPEE PARISH
NO POLICY

NEWELLTON POLICE DEPARTMENT // TENSAS PARISH
NO RESPONSE

NICHOLLS STATE UNIVERSITY POLICE DEPARTMENT

LAFOURCHE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “any law enforcement-initiated action that relies upon the race or ethnicity of an individual, rather than the behavior of that individual”

NORTH HODGE POLICE DEPARTMENT // JACKSON PARISH **NO RESPONSE**

NORTHWESTERN STATE UNIVERSITY POLICE DEPARTMENT NATCHITOCHES PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “The practice of stopping or detaining any individual(s) based solely upon the individual(s)’ membership in a protected class of people without any individualized suspicion of the person being stopped.” The policy nowhere specifies who belongs to a “protected class of people.” The policy uses the sole-factor definition and therefore fails to prohibit profiling that would be illegal under the Equal Protection Clause. Later, the policy states, “While the practice of racial profiling is strictly prohibited, it is recognized that race or ethnicity may be legitimately considered by an officer [sic] in combination with other legitimate factors to establish reasonable suspicion or probable cause (e.g., suspect description is limited to a specific race or group.)” Although it is true that race may be considered in combination with other physically identifying characteristics, the example is misleading, because a suspect belonging to a particular race is not sufficient reason to stop people just because they also belong to the suspect’s race.

NORWOOD POLICE DEPARTMENT // EAST FELICIANA PARISH **NO POLICY**

O

OAK GROVE POLICE DEPARTMENT // WEST CARROLL PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain, or search any person when such action is motivated by race or ethnicity...”
This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention, interdiction, or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

OAKDALE POLICE DEPARTMENT // ALLEN PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent

a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

OBERLIN POLICE DEPARTMENT // ALLEN PARISH **NO POLICY**

OIL CITY POLICE DEPARTMENT // CADDO PARISH **NO POLICY**

OLLA POLICE DEPARTMENT // LASALLE PARISH **NO POLICY**

OPELOUSAS POLICE DEPARTMENT // ST. LANDRY PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

ORLEANS LEVEE DISTRICT POLICE DEPARTMENT

ORLEANS PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, interdiction, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

ORLEANS PARISH SHERIFF’S OFFICE // ORLEANS PARISH **NO POLICY** // But disclaims conducting traffic stops

OUACHITA PARISH SHERIFF'S OFFICE // OUACHITA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "No employee shall stop, detain, or search any person when such action is motivated by race, color, ethnicity" This statement is simpler and clearer than the policy's definition of racial profiling, "The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual."

P

PARKS POLICE DEPARTMENT // ST. MARTIN PARISH
NO POLICY

PATTERSON POLICE DEPARTMENT // ST. MARY PARISH
NO POLICY

PEARL RIVER POLICE DEPARTMENT // ST. TAMMANY PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Provides good examples of racial profiling, including "Stopping a particular driver who is speeding in a stream of traffic where other drivers are speeding because of the driver's apparent race, ethnicity or national origin"; "Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, gender ... is unlikely to own or possesses [sic] that specific make or model of vehicle"; and "Detaining an individual based on a bias profile that an individual does not belong in a specific area or place." These examples are much more helpful than the policy's definition of "racial or bias profiling": "The interdiction, stopping, detention, or other unequal treatment of any person based on race, ethnicity"

PINE PRAIRIE POLICE DEPARTMENT // EVANGELINE PARISH
NO POLICY

PINEVILLE MARSHAL'S OFFICE // RAPIDES PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS // Sent what may be only the first page of their policy, because it just has the "Purpose" and "Discussion" sections. The only thing it says about racial profiling is "The purpose of this policy is to unequivocally state that racial and ethnic profiling in law enforcement are totally unacceptable..."

PINEVILLE POLICE DEPARTMENT // RAPIDES PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "The detention, interdiction, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics." This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily

observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment's Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

PIONEER POLICE DEPARTMENT // WEST CARROLL PARISH
NO POLICY

PLAIN DEALING POLICE DEPARTMENT // BOSSIER PARISH
NO POLICY

PLAQUEMINE POLICE DEPARTMENT // IBERVILLE PARISH
NO POLICY

PLAQUEMINES PARISH SHERIFF'S OFFICE
PLAQUEMINES PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "[T]he detention, interdiction or other disparate treatment of any person on the basis of their racial, ethnic, or gender-based status or characteristics." This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment's Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

PLAUCHEVILLE POLICE DEPARTMENT // AVOYELLES PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Sent "courtesy" section, which mentions race once: "A member shall at all times while on duty or in uniform refrain from...voicing any bias or prejudice concerning race..."

PLEASANT HILL POLICE DEPARTMENT // SABINE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Policy contains content only on complaints about racial profiling. It nowhere prohibits racial profiling.

POINTE COUPEE PARISH SHERIFF'S OFFICE
POINTE COUPEE PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "No employee shall stop, detain or search any person when such action is motivated by race or ethnicity." This statement is simpler and clearer than the policy's definition of racial profiling, "The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual."

POLLOCK POLICE DEPARTMENT // GRANT PARISH
NO POLICY

PONCHATOU LA POLICE DEPARTMENT

TANGIPAHOA PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No officer shall consider the race, ethnicity, gender, or economic status of any citizen in deciding whether to detain an individual and/or stop or search a vehicle.” This statement is simpler and clearer than the policy’s definition of racial profiling, “the detention, interdiction, or other disparate treatment of an individual primarily on the basis of the racial or ethnic status of such individual.”

PORT ALLEN POLICE DEPARTMENT // WEST BATON ROUGE
NO POLICY

PORT BARRE POLICE DEPARTMENT // ST. LANDRY PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Sent what may be only the first page of their “Traffic Stops” policy, because it contains only the “Purpose” and “Discussion” sections. The only thing it says about racial profiling is “The purpose of this policy is to unequivocally state that racial and ethnic profiling in law enforcement are totally unacceptable ...”

PORT FOURCHON HARBOR POLICE // LAFOURCHE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “[R]ace ... will not be a factor in determining ... reasonable suspicion for a stop.”

PORT OF NEW ORLEANS HARBOR POLICE DEPARTMENT
ORLEANS PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, interdiction, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

PORT VINCENT POLICE DEPARTMENT // LIVINGSTON PARISH
NO POLICY

R

RAPIDES PARISH SHERIFF’S OFFICE // RAPIDES PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Three sentences long: “The Purpose of this Policy is to ensure that race, ethnicity, age, gender, or sexual orientation shall not be the sole basis for the detention, interdiction or other disparate treatment of any individual by any employee of the Rapides Parish Sheriff’s Office. This order shall apply to all members of the Rapides Parish Sheriff’s Office. It shall be the policy of the Rapides Parish Sheriff’s Office to prevent and prohibit the practice of racial profiling and/or other discriminatory practice(s) by employees of this office.”

RAYNE POLICE DEPARTMENT // ACADIA PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “any action initiated by law enforcement that relies upon the race, ethnicity, or national origin of an individual rather than: (1) the behavior of that individual; or (2) information that leads law enforcement to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.”

RAYVILLE POLICE DEPARTMENT // RICHLAND PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

RED RIVER PARISH SHERIFF’S OFFICE // RED RIVER PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, interdiction, or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

REEVES POLICE DEPARTMENT // ALLEN PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “the practice of detaining or stopping a suspect based on a broad set of criteria which cast suspicion on an entire class of people without any individualized suspicion of the particular person being stopped”

RICHLAND PARISH SHERIFF'S OFFICE // RICHLAND PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain, or search any person when such action is motivated by race, color, ethnicity ...” This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention, interdiction or other disparate treatment of an individual on the basis of racial or ethnic status of such individual.”

RICHHOOD POLICE DEPARTMENT // OUACHITA PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention or other disparate treatment of any person based on their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

RINGGOLD POLICE DEPARTMENT // BIENVILLE PARISH
NO POLICY**ROBELINE POLICE DEPARTMENT // NATCHITOCHE PARISH**
NO POLICY**RODESSA POLICE DEPARTMENT // CADDO PARISH**
NO POLICY**ROSEDALE POLICE DEPARTMENT // IBERVILLE PARISH**

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Sent local ordinance: “The use of racial profiling by any officer of the police department in the enforcement of law or ordinance is prohibited. As used in this Section, ‘racial profiling’ means the detention or other disparate treatment of any person on the basis of the person’s racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person

were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

ROSELAND POLICE DEPARTMENT // TANGIPAHOA PARISH
NO RESPONSE**ROSEFINE POLICE DEPARTMENT // VERNON PARISH**
NO POLICY**RUSTON POLICE DEPARTMENT // LINCOLN PARISH**

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

S

SABINE PARISH SHERIFF'S OFFICE // SABINE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

SAREPTA POLICE DEPARTMENT // WEBSTER PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain or search any person when such action is motivated by race, color, ethnicity ...” This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention, interdiction or other disparate treatment of an individual on the basis of racial or ethnic status of the individual.”

SCOTT POLICE DEPARTMENT // LAFAYETTE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No officer shall stop, detain or search any person when such action is motivated by race, ethnicity ...” This statement is simpler and clearer than the policy’s definition of bias-based profiling, “The detention, interdiction or other disparate treatment of an individual on the basis of race, ethnicity ... of such individuals.”

SHREVEPORT POLICE DEPARTMENT // CADDO PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “[T]he detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

SIBLEY POLICE DEPARTMENT // WEBSTER PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Provides good examples of racial profiling, including “Stopping a particular driver, who is moving with the flow of traffic, simply because of the driver’s apparent race, ethnicity or national origin”; “Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, gender ... is unlikely to own or possesses [sic] that specific make or model of vehicle”; and “Detaining an individual based on a bias profile that an individual does not belong in a specific area or place.” These examples are much more helpful than the policy’s definition of “racial or bias profiling”: “The interdiction, stopping, detention, or other unequal treatment of any person based on race, ethnicity ...”

SICILY ISLAND POLICE DEPARTMENT // CATAHOULA PARISH
NO POLICY**SIMMESPORT POLICE DEPARTMENT // AVOYELLES PARISH**
NO RESPONSE**SLAUGHTER POLICE DEPARTMENT // EAST FELICIANA PARISH**
NO POLICY

SLIDELL POLICE DEPARTMENT // ST. TAMMANY PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Bias based profiling[:] the selection of individuals based solely on a trait common to a group for enforcement action. This includes, but is not limited to, race, ethnic background ...”

SOUTHEASTERN LOUISIANA UNIVERSITY POLICE**DEPARTMENT // TANGIPAHOA PARISH**

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Stopping, detaining, searching, or attempting to search, or using force against a person based upon his or her race, ethnic background ...”

SOUTHERN UNIVERSITY - BATON ROUGE POLICE
DEPARTMENT // EAST BATON ROUGE PARISH // NO POLICY**SOUTHERN UNIVERSITY - NEW ORLEANS POLICE**
DEPARTMENT // ORLEANS PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Biased based profiling ... is the selection of individuals based solely on a common trait of a group. This includes, but is not limited to, race ...”

SOUTHERN UNIVERSITY - SHREVEPORT // CADDO PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Biased-Based Policing-using race, ethnicity, gender or national origin as a reason to restrict a person’s liberty where race, ethnicity, gender or national origin is a descriptive factor relating to a suspected criminal event.” This definition likely does not apply to *Terry* stops, which are only minimal intrusions on someone’s liberty. Moreover, police are allowed to use race or ethnicity in combination with other physical characteristics to match someone to a specific suspect description for a particular crime, so that should not be included in a definition of bias-based policing. This definition also does not prohibit detentions where the suspect commits an easily observable violation but the officer would not have made the detention had the suspect been white.

SPRINGFIELD POLICE DEPARTMENT // LIVINGSTON PARISH
NO POLICY**SPRINGHILL POLICE DEPARTMENT // WEBSTER PARISH**
NO POLICY**ST. BERNARD PARISH SHERIFF’S OFFICE****ST. BERNARD PARISH**

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “Sworn members shall not take any police action that is based solely upon person traits that include, but are not limited to race, ethnic background ...”

ST. CHARLES PARISH SHERIFF’S OFFICE**ST. CHARLES PARISH // NO POLICY****ST. FRANCISVILLE POLICE DEPARTMENT****WEST FELICIANA PARISH**

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Provides good examples of racial profiling,

including “Stopping a particular driver who is speeding in a stream of traffic where other drivers are speeding because of the driver’s apparent race, ethnicity or national origin”; “Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, gender ... is unlikely to own or possesses [sic] that specific make or model of vehicle”; and “Detaining an individual based on a bias profile that an individual does not belong in a specific area or place.” These examples are much more helpful than the policy’s definition of “racial or bias profiling”: “The interdiction, stopping, detention, or other unequal treatment of any person based on race, ethnicity”

**ST. GABRIEL POLICE DEPARTMENT // IBERVILLE PARISH
NO POLICY**

ST. HELENA PARISH SHERIFF’S OFFICE // ST. HELENA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain or search any person when such action is motivated by race or ethnicity”
This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

ST. JAMES PARISH SHERIFF’S OFFICE // ST. JAMES PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain or search any person when such action is motivated by race or ethnicity”
This statement is simpler and clearer than the policy’s definition of racial profiling, “the detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

ST. JOHN THE BAPTIST PARISH SHERIFF’S OFFICE
ST. JOHN THE BAPTIST PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “[T]he detention, interdiction or other disparate treatment of any person on the basis of their racial, ethnic, or gender-based status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

**ST. JOSEPH POLICE DEPARTMENT // TENSAS PARISH
NO POLICY**

**ST. LANDRY PARISH SHERIFF’S OFFICE // ST. LANDRY PARISH
NO POLICY**

ST. MARTIN PARISH SHERIFF’S OFFICE // ST. MARTIN PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain or search any person, during a traffic stop or during a contact in the field, when such action is motivated by race or ethnicity” This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention, interdiction, or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

**ST. MARTINVILLE POLICE DEPARTMENT // ST. MARTIN PARISH
NO POLICY**

ST. MARY PARISH SHERIFF’S OFFICE // ST. MARY PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “No deputy should stop, detain or search any person, during a traffic stop or during a contact in the field, when such action is motivated by race, ethnicity ... ,” though this statement is not a prohibition (it says “should” instead of “shall”). This statement is still clearer and simpler than the policy’s definition of bias-based profiling, “The selection of persons for police based [sic] SOLELY on a common trait of a group. Such traits may include, but are not limited to, race, ethnicity ... “ (all caps in original).

ST. TAMMANY PARISH SHERIFF’S OFFICE
ST. TAMMANY PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain or search any person when such action is motivated by race, color, ethnicity”
This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

**STERLINGTON POLICE DEPARTMENT // OUACHITA PARISH
NO POLICY**

**SULPHUR POLICE DEPARTMENT // CALCASIEU PARISH
NO POLICY**

SUNSET POLICE DEPARTMENT // ST. LANDRY PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “Members are prohibited from the stopping, detention and search of persons when the action is motivated by the member’s perception of the person’s race, color ... and when the action would constitute a violation of the person’s civil rights,” though this is inconsistent with the manual’s definition of bias-based profiling on the next page, “Members are prohibited from taking any police-initiated action that relies on the race, ethnicity,

or national origin rather than the behavior of an individual or information that leads the police to a particular individual who has been identified as being, or having been, engaged in criminal activity.” In addition, due to *Whren*, stopping someone for an easily observable traffic violation is not unconstitutional, even if the stop is motivated by race, so the inclusion of “and when the action would constitute a violation of the person’s civil rights” eliminates instances where officers initiate stops based on easily observable traffic violations but where the real motivation stems from race.

T

TALLULAH POLICE DEPARTMENT // MADISON PARISH **NO POLICY**

TANGIPAHOA PARISH SHERIFF’S OFFICE

TANGIPAHOA PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No officer shall stop, detain, or search any person when such action is motivated by race, ethnicity” This statement is simpler and clearer than the policy’s definition of bias-based profiling, “The detention, interdiction, or other disparate treatment of an individual on the basis of the race, ethnicity ... of such individual.”

TENSAS BASIN LEVEE DISTRICT POLICE DEPARTMENT // OUACHITA PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

TENSAS PARISH SHERIFF’S OFFICE // TENSAS PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain or search any person when such action is motivated by race or ethnicity” This statement is simpler and clearer than the policy’s definition of racial profiling, “The detention or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

TERREBONNE PARISH SHERIFF’S OFFICE

TERREBONNE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Provides good examples of racial profiling, including “Stopping a particular driver who is speeding in a stream of traffic where other drivers are speeding because of the driver’s apparent race, ethnicity or national origin”; “Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, gender ... is unlikely to own or possesses [sic] that specific make or model of vehicle”; and “Detaining an individual based on a bias profile that an individual does not belong in a specific area or place.” These examples are much more helpful than the policy’s definition of “racial or bias profiling”: “The interdiction, stopping, detention, or other unequal treatment of any person based on race, ethnicity”

THIBODAUX POLICE DEPARTMENT // LAFOURCHE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No employee shall stop, detain or search any person when such action is motivated by race, color, ethnicity” This statement is simpler and clearer than the policy’s definition of bias-based profiling, “the detention, interdiction, or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual.”

TICKFAW POLICE DEPARTMENT // TANGIPAHOA PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS “The detention, or other deliberate [sic] treatment of any person based on their racial or ethnic status, or characteristics.” Title of this section of the policy manual is “Ethnics.” The word “deliberate” is a typo and should be “disparate.” The policy later states, “In the absence of a specific, credible report containing a physical description, a persons [sic] race, ethnicity, gender or sexual orientation or any combination of these shall not be a factor in determining probable cause for an arrest or reasonable suspicion for a stop.” This statement does prohibit the type of profiling that would violate the Fourth Amendment, but nothing in the policy prohibits pretextual stops, in which the officer is able to point to an easily observable violation as the reason for the stop, even if the officer’s subjective motivation was based on the person’s race or ethnicity.

TULLOS POLICE DEPARTMENT // LASALLE PARISH **NO POLICY**

U

UNION PARISH SHERIFF’S OFFICE // UNION PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “No officer shall stop, detain, or search any person when such action is motivated by race, color, ethnicity”

This statement is simpler and clearer than the policy's definition of racial profiling, "The detention, interdiction, or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual."

UNIVERSITY OF LOUISIANA - LAFAYETTE POLICE

DEPARTMENT // LAFAYETTE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**

POLICY EXCERPTS "No officer shall stop, detain, or search any person when such action is motivated by race, ethnicity" This statement is simpler and clearer than the policy's definition of bias-based profiling, "The detention, interdiction, or other disparate treatment of an individual on the basis of the race, ethnicity ... of such individual."

UNIVERSITY OF LOUISIANA - MONROE POLICE DEPARTMENT

OUACHITA PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**

POLICY EXCERPTS Provides good examples of racial profiling, including "Detaining a particular driver who is speeding in a stream of traffic, where other drivers are speeding, because of the driver's race, ethnicity, or national origin"; "Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess that specific make or model of vehicle"; and "Detaining an individual based on the determination that a person of that race, ethnicity, or national origin does not belong in a specific part of town or a specific place." These examples are much more helpful than the policy's definition of bias-based profiling: "The detention, interdiction, search or seizure of any person based upon the person's ... race ... ethnicity, national origins"

UNIVERSITY OF NEW ORLEANS POLICE DEPARTMENT

ORLEANS PARISH // NO RESPONSE

URANIA POLICE DEPARTMENT // LASALLE PARISH

NO POLICY

V

VARNADO POLICE DEPARTMENT // WASHINGTON PARISH

NO POLICY

VERMILION PARISH SHERIFF'S OFFICE // Vermilion Parish

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**

POLICY EXCERPTS "No employee shall stop, detain or search any person when such action is motivated by race or ethnicity"

This statement is simpler and clearer than the policy's definition of racial profiling, "The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual."

VERNON PARISH SHERIFF'S OFFICE // VERNON PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**

POLICY EXCERPTS "No employee shall stop, detain or search any person when such action is motivated by race, ethnicity" This statement is simpler and clearer than the policy's definition of racial profiling, "The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual."

VIDALIA POLICE DEPARTMENT // CONCORDIA PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**

POLICY EXCERPTS "All investigative detentions, traffic stops, arrests, searches and seizures or forfeitures of property by officers shall be based on a standard of reasonable suspicion or probable cause, not on the racial or ethnic status of any person."

VILLE PLATTE POLICE DEPARTMENT // EVANGELINE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**

POLICY EXCERPTS Sent IACP model "Motor Vehicle Stops" policy from December 2006: "Officers are prohibited from stopping vehicles under the guise of legal authority when in fact the stop is based solely on the officer's prejudice concerning a person's race, ethnicity, sex, or similar distinction." Also provided IACP model "Unbiased Policing" policy from April 2004: "Officers may not use race, ethnic background ... as the sole criteria for determining when or how to take enforcement action or provide police services."

VINTON POLICE DEPARTMENT // CALCASIEU PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**

POLICY EXCERPTS "Any police-initiated action that relies upon race, ethnicity ... of an individual rather than the behavior of that individual or information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity"

VIVIAN POLICE DEPARTMENT // CADDO PARISH

NO POLICY

W

WALKER POLICE DEPARTMENT // LIVINGSTON PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**

POLICY EXCERPTS "The detention, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics." This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which

violates the Fourteenth Amendment's Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

WASHINGTON PARISH SHERIFF'S OFFICE

WASHINGTON PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS Policy is two sentences long and says only "Employees will not engage in any law enforcement activities that are discriminatory based on race" Although the policy's prohibition is broad enough in the sense that it covers the U.S. Constitution, the policy in no way makes clear what racial profiling is and what conduct is prohibited.

WASHINGTON POLICE DEPARTMENT // ST. LANDRY PARISH
NO POLICY

WATERPROOF POLICE DEPARTMENT // TENSAS PARISH
NO POLICY

WEBSTER PARISH SHERIFF'S OFFICE // WEBSTER PARISH
NO POLICY

WELSH POLICE DEPARTMENT // JEFFERSON DAVIS PARISH
NO POLICY

WEST BATON ROUGE PARISH SHERIFF'S OFFICE // WEST BATON ROUGE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "No employee or member shall stop, detain or search any person when such action is motivated by race, color, ethnicity" This statement is simpler and clearer than the policy's definition of racial profiling, "The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual."

WEST CARROLL PARISH SHERIFF'S OFFICE
WEST CARROLL PARISH // NO POLICY

WEST FELICIANA PARISH SHERIFF'S OFFICE

WEST FELICIANA PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS "No employee shall stop, detain, or search any person when such action is motivated by race or ethnicity" This statement is simpler and clearer than the policy's definition of racial profiling, "The detention, interdiction or other disparate treatment of an individual on the basis of the racial or ethnic status of such individual."

WEST MONROE POLICE DEPARTMENT // OUACHITA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS "The selection of individuals based solely on a

common trait of a group. This includes, but is not limited to, race, ethnic background"

WESTLAKE POLICE DEPARTMENT // CALCASIEU PARISH
NO POLICY

WESTWEGO POLICE DEPARTMENT // JEFFERSON PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS Sent code of ethics and policy on "Legal Authority of Police Officers," neither of which mentions race.

WHITE CASTLE POLICE DEPARTMENT // IBERVILLE PARISH
NO POLICY

WILSON POLICE DEPARTMENT // EAST FELICIANA PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS "Any police-initiated action that relies upon race, ethnicity ... of an individual rather than the behavior of that individual or information that leads the police to a particular individual who has been identified as being engaged in or having been engaged in criminal activity."

WINN PARISH SHERIFF'S OFFICE // WINN PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **NO**
POLICY EXCERPTS One sentence long: "No employee of this office shall make any contact with an individual solely based on race, gender, age or state of residency."

WINNFELD POLICE DEPARTMENT // WINN PARISH
NO POLICY

WINNSBORO POLICE DEPARTMENT // FRANKLIN PARISH
NO RESPONSE

WISNER POLICE DEPARTMENT // FRANKLIN PARISH
NO POLICY

WOODWORTH POLICE DEPARTMENT // RAPIDES PARISH
Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS In "Values" policy: "Employees ... are prohibited from allowing an individual's race, ethnicity ... to influence that individual's treatment." In "Traffic Stops" policy: "Initiating a traffic stop or basing enforcement action on the vehicle occupant's race, ethnicity ... is illegal, inconsistent with the principles of American policing and an indefensible public protection strategy." And later: "Members are prohibited from using the race, ethnicity ... of the occupant(s) of a vehicle as the sole deciding factor in whether a traffic stop should, or should not be made, whether enforcement action should, or should not be taken, or whether a roadside vehicle search should, or should not be conducted." The "Values" policy is actually broad enough to cover the full range of racial profiling, but because it's in the "Values" section and not the "Traffic Stops" section, a reader

could easily miss the “Values” policy. Moreover, this policy is inconsistent with the “sole deciding factor” part of the “Traffic Stops” policy, so the prohibition is very unclear.

Y

YOUNGSVILLE POLICE DEPARTMENT // LAFAYETTE PARISH

Policy on racial profiling? **YES** // Prohibition is broad enough? **YES**
POLICY EXCERPTS “The detention, interdiction, or other disparate treatment of individuals based solely on a common trait or a group. This includes, race, ethnic background” This prohibition is broad enough to cover 1) the formation of (un)reasonable suspicion based on race (absent a specific and credible suspect description), which violates the Fourth Amendment; and 2) the use of an easily observable violation to single out a person of color for a stop when the officer would not have made the stop if the person were white, which violates the Fourteenth Amendment’s Equal Protection Clause. However, without any concrete examples or further elaboration on both types of racial profiling, the policy fails to make clear what conduct is prohibited.

Z

ZACHARY POLICE DEPARTMENT

EAST BATON ROUGE PARISH // **NO POLICY**

ZWOLLE POLICE DEPARTMENT // SABINE PARISH

NO RESPONSE

ACKNOWLEDGMENTS

This SPLC report was researched and written by a 2017-2018 SPLC law fellow. It was edited by Lisa Graybill and Jamila Johnson and designed by Russell Estes.

