

Racial Profiling Update Lesson Plan

Learning Objectives	<p>Students will:</p> <ol style="list-style-type: none"> 1. Discuss what racial profiling is and the impact it can have on a community. 2. Distinguish when race is a legitimate factor in identifying a suspect and when it is not. 3. Discuss state and federal laws that pertain to Racial Profiling. 4. Understand the role that law enforcement plays in all communities. <p>Classroom should be set up with at least 3 round tables. There should be enough 3 X 5 cards and pens for each student on each table. There should be three easel charts for the group activity (one for each group) and one large chart for the front of the room.</p>
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Content Outline	Instructor Notes	Resources	Time
I. Introductions			
A. Background of legislation and course B. Words that the term racial profiling bring to mind C. Classroom guidelines for discussion <ol style="list-style-type: none"> 1. Use "I" statements 2. Active listening 3. Be respectful of others and their views 4. Be honest and open to new Ideas 5. Take risks 6. Confidentiality 	Play introduction of POST Racial Profiling Update DVD. Introduce self, facilitate discussion about the original Racial Profiling class, ask students why that class came about/what they remember from it. Pass out 3x5 cards and give students 15 seconds to write the first words that they think of when they hear the term "racial profiling". Collect the cards and read each one out loud, facilitate a discussion on what perceptions (if any) have changed. Discuss why there are still so many differing descriptions.	Laptop, projector, POST Racial Profiling Update DVD, Flipchart, pens, 3x5 cards for each student, pen/pencils for students	10 min
II. Racial Profiling Defined			
A. Confusion about what it is or is not B. Effects on the students C. Clarifying the controversies	Using an easel chart, facilitate a discussion about what they believe racial profiling is and what effect it has had on them personally and professionally. Encourage more discussion by passing out the "True or False" statement cards. Pair the students up and give each group a card	True or False Statements	20 min

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	to discuss for 3-5 minutes. Go around the room and let each group address the statement on their card and whether they thought it was true or false. Open the discussion on each card up to the large group and guide the group to the facts provided by POST for each (See below)		
III. Legal Considerations A. California specific laws--Senate Bill 1102 <ol style="list-style-type: none"> 1. Modified Penal Code Section 13519.4 PC 2. Law enforcement shall not engage in racial profiling 3. Racial profiling is the practice of detaining individuals based on a broad view of a particular group of people 4. New law updates 	Large group discussion of California specific laws	Easel Chart	5 min
B. Federal laws <ol style="list-style-type: none"> 1. 4th Amendment <ol style="list-style-type: none"> a. Reasonable suspicion or probable cause b. Must be individualized c. Focused on the person to be stopped or detained 2. 14th Amendment <ol style="list-style-type: none"> a. Equal application of the law b. Law enforcement must be colorblind in conduct of its responsibilities 	Break the class up into three groups. Give each group the handout applicable to the specific Federal and Case Law (4 th Amendment, 14 th Amendment, and Whren v United States). Have each group research/read the information and then report back in 10-15 minutes to the large group and teach them how their section pertains to Racial Profiling. When facilitating the group discussions, guide them toward the points made in the outline so that they are “teaching” the large group POST’s points. Encourage input from the large group when each of the groups	Easel charts for each group, large easel chart at front of room, Federal Laws group handouts	20 min

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<ul style="list-style-type: none"> c. Individualized suspicion cannot be based on race unless race was provided as a specific descriptor 3. Case law--Whren v United States <ul style="list-style-type: none"> a. Creates powerful discretion on the part of the officers to make pretext stops b. An officer stops a driver for a minor traffic violation to investigate a hunch that the driver is engaged in a more serious activity <ul style="list-style-type: none"> a) It's what motivates the pretext stop that must be considered c. New law updates B. Legal/ethical exercise of this discretion is the key <ul style="list-style-type: none"> 1. A stop can be legal under the 4th Amendment and still illegal under the 14th Amendment C. Differences between criminal profiling and racial profiling <ul style="list-style-type: none"> 1. Criminal profiling is a legitimate practice based on psychological characteristics that can be analyzed and evaluated. 2. Criminal profiling is based on articulable behaviors or characteristics 	<p>concludes and write comments on the large easel chart.</p> <p>Facilitate large group discussion</p>	Large easel chart	10 min

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<p>3. Racial profiling is the use of race alone as a predictor</p> <p>D. Lawfully applying your discretion</p> <p>1. Law enforcement officers may only consider factors such as race, ethnicity, religion, national origin, sexual orientation, gender, or lifestyle when they are a reported descriptor which links a specific person or persons to a particular unlawful incident.</p> <p>IV. Civil Rights Perspectives</p> <p>A. Across the country</p> <p>B. Compton, CA</p> <p>C. Group Discussion</p> <p>1. What impact does the history we've just learned about have on our profession today?</p> <p>a. Law enforcement has had to enforce unjust laws in the past</p> <p>b. Law enforcement and the community must build and maintain mutual trust</p> <p>2. What impact does history have on our own agency?</p> <p>a. Discuss historical events from your jurisdiction</p> <p>3. Are we creating any new history for ethnic groups today?</p> <p>a. Yes – Middle Eastern</p>	<p>Show POST Video clip "Perspectives of Compton". Stop video after Frank Lawson. Facilitate discussion about video. Ask some questions from this section of the outline. Use questions that you think will help the students realize the point of this block of instruction.</p>	<p>Laptop, projector, POST video, easel chart</p>	<p>45 min</p>

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<p>communities</p> <ol style="list-style-type: none"> 4. In light of recent events, what is our responsibility to Middle Eastern communities? <ol style="list-style-type: none"> a. Protect them from terrorist threats b. Ensure their safety c. Still need to use individualized behaviors or specific descriptors for reasonable cause to stop or detain 5. What can we do as individuals to increase the trust between the community and law enforcement? <ol style="list-style-type: none"> a. Treat them fairly b. Explain why we make contacts c. Learn about their cultures d. Learn basics of their languages e. Do not racial profile f. Interact with the community on a non-enforcement basis g. COPS, CPOPS, etc. <p>D. Lessons learned</p> <ol style="list-style-type: none"> 1. The civil rights movement had a profound effect on the nation and on law enforcement 2. One of the biggest legacies from the civil rights movement was to elevate the role of law enforcement to protect and enforce civil rights for all people 			

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<ul style="list-style-type: none"> 3. This means there is a higher expectation for the ethical standards from law enforcement. 4. Civil rights movement also led to the desegregation of law enforcement 5. Law enforcement transitioned from enforcement approach to community oriented policing (COPS/CPSPS) E. Racially-biased policing is a human rights issue <ul style="list-style-type: none"> 1. Protecting civil rights is not an inconvenience for modern police; it is the foundation of policing 2. Racially-biased policing is not just <ul style="list-style-type: none"> a. law enforcement problem <ul style="list-style-type: none"> a. It can only be solved through police-citizen partnerships b. There must be mutual trust and respect 3. Professional law enforcement personnel wants to respond effectively to the concerns regarding racially biased policing 4. Combating racial profiling requires ongoing discussions V. Conclusion <ul style="list-style-type: none"> A. Racial profiling has a negative impact 	<p>End by asking what is the difference between Compton and (name the cities in the classroom</p>		

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<p>on everyone</p> <ol style="list-style-type: none"> 1. There is a direct impact on the individual citizen profiled 2. There is a collective impact on the entire community 3. There is a residual impact on the individual officer <ol style="list-style-type: none"> a. Affects credibility b. Can compromise officer safety c. Can impede criminal investigations due to lack of community support and assistance 4. On the entire criminal justice system <ol style="list-style-type: none"> a. Jurors who have been profiled may have a negative perception of law enforcement b. Officer credibility issues can result in refusals to file by the prosecution <p>B. Racial profiling does impact everyone</p> <ol style="list-style-type: none"> 1. Eliminating this practice, by understanding the laws and working more closely with your communities in a community oriented policing atmosphere, will benefit you as well as the people your agency serves 	<p>on that day). Conclusion might be that there is no difference, there are many law abiding citizens in both communities looking to us as peace officers for fair and impartial treatment.</p>		