



Roll Call Training Bulletin

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Sikhism: Protocol and Other Considerations for Law Enforcement

This bulletin provides information and links to resources to help law enforcement agencies in their contacts with members of the Sikh faith.

Sikhism is a religion founded in the Punjab region of South Asia in the late 15th century and is the fifth largest religion in the world. The Sikh population in California is estimated at 250,000 (about half the national Sikh population). Sikhs are often mistaken for Muslims or Hindus; however, these are all completely different religions.

Articles of Faith

Sikhs wear a religious uniform that is intended to identify them as members of the faith. All baptized Sikhs are required to carry five articles of faith at all times: the **Kesh** (uncut hair), **Kangha** (a wooden comb, sometimes kept in the hair), **Kara** (a bracelet on the right wrist), **Kachehra** (a special undergarment), and **the Kirpan** (a ceremonial item resembling a small sword, usually with a curved tip). The kirpan reminds Sikhs of their duty to fight against injustice and oppression, and Sikhs believe the kirpan may be used as a weapon only for self defense or to defend another innocent person from harm.

The Kirpan:

- May be made of either steel or iron.
- Typically worn in a sheath hung on a strap and slung over one shoulder or worn around the waist.
- May be visible over the clothing or under a jacket.
- Is commonly between 3-9 inches in length and may be blunt or sharpened.

Usually a kirpan can be identified as a religious item because the Sikh carrying it is also likely to be carrying the other four articles of faith. Sikhs are also required to cover their uncut hair with religious turbans.

Kirpan Protocol

- If the kirpan must be inspected and circumstances permitting, officers should politely request to inspect the item and explain why it needs to be inspected, rather than forcibly removing the kirpan from a Sikh.
- If the kirpan must be recovered, it should be treated respectfully, kept in a clean place off the floor and returned to the owner as soon as possible.
- To call it a dagger or knife is rather insulting to this article of faith.

Turban Protocol

A Sikh turban is a religious article of faith and as such, is always treated with respect. Sikhs never appear in public without their heads covered. To do so would be considered embarrassing or even humiliating for a Sikh.



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A respectful pat-down of a turban would include informing the person:

- The turban is going to be pat down but not removed.
- The turban is recognized as an article of faith and the reasons for the pat-down.

This explanation will show respect and help prevent objection to the pat-down.

Whenever possible, avoid asking a Sikh to remove his or her turban, because for a Sikh it would be akin to a strip search.

If for whatever reason, turban removal is required, and circumstances permit, provide a clean private area with a mirror and adequate lighting, and 5 to 15 minutes to re-tie the turban.

Legal Considerations

Since September 11, 2001, at least 22 criminal cases against Sikhs for carrying a kirpan have been dismissed nationwide, including in California. In 2004, a Sikh student at Diablo Valley College in Pleasant Hill, California, was arrested after a campus police officer saw his kirpan while he was studying at a campus cafeteria. In 2008, a Sikh was arrested in Kern County for violating the state's concealed weapons law when a police officer stopped him for a traffic violation and observed the kirpan underneath his clothing. Charges against both men were dropped after prosecutors were informed of the religious significance of the kirpan and past incidents of the dismissal of similar charges against Sikhs across the country.

While the constitutionality of Sikhs carrying a kirpan has not been addressed in California's courts, courts in other states have dismissed charges against Sikhs. A district court in Michigan held a Detroit ordinance did not apply to individuals who wear a kirpan, in good faith, as a religious relic or symbol. Similar rulings have been made in New York and Ohio, where the appellate court held that the prosecution of a Sikh for carrying a kirpan violated the Religious Freedom Restoration Act of 1993.

Officer Safety

While this training bulletin describes recommended protocol for the respectful treatment of Sikhs and their articles of faith, and no record of a kirpan being used as a weapon in the U.S. has been found, officers should be cognizant of their safety in all circumstances.

Reference Material

Additional information on the Sikh faith can be obtained through:

- The Sikh Coalition: www.sikhcoalition.org ; (510) 659-0900; and the Western Region Office at 39465 Paseo Padre Parkway, Suite 3550, Fremont, CA 94538.
- US Department of Justice; Law Enforcement Training Video on Sikhism; *On Common Ground*; <http://www.justice.gov/icsr/videolocg-video.htm>.