

February 12th, 2016

From: Sergeant Alfredo Cooke, #8403, Commander Professional Standards Division
To: Chief Ron Davidson

Subj: **2015 BIASED BASED PROFILING REPORT**

Encl: "A" Racial Profiling Statutes and Laws
"B" General Order 100.11 Biased Based Profiling dtd. July 14th, 2014
"C" PowerDMS Test Results from Biased Based Profiling Test taken by employees

Executive Summary

Article 2.132 (7) of the Texas Code of Criminal Procedure requires the annual reporting to the local governing body of data collected on the race or ethnicity of individuals stopped and issued citations or arrested for traffic violations and whether or not those individuals were searched.

Analysis of data from Texas A&M University-San Antonio Police Department revealed the following:

- Texas A&M University-San Antonio Police Department (TAMUSA PD) General Order Biased Based Profiling 100.11 outlines the department's policy concerning racial profiling.
- TAMUSA PD is in compliance with Texas law on training and education regarding racial profiling.
- The department is in compliance with Texas law on the racial profiling complaint process and public education about the complaint process.
- The department is in compliance with Texas law on the collection of racial profiling data.
- There are no methodologically conclusive indications of racial profiling by the department.
- TAMUSA PD is in compliance with Texas law concerning prohibition of racial profiling.
- TAMUSA PD is in compliance with Texas law concerning reporting of information to Texas Commission on Law Enforcement (TCOLE).

Introduction

This report details an analysis of the TAMUSA PD's policies, training, and statistical information on racial profiling for the year 2015. This report has been prepared to specifically comply with Article 2.132 of the Texas Code of Criminal Procedure (CCP) regarding the compilation and analysis of racial profiling data. Specifically, the analysis will address Articles 2.131 - 2.135 of the CCP and make a determination of the

level of compliance with those articles by the TAMUSA PD in 2015. The full copies of the applicable laws and General Orders pertaining to this report are contained in Appendix A and B.

This report is divided into five analytical sections:

1. TAMUSA PD policy on racial profiling;
2. TAMUSA PD training and education on racial profiling;
3. TAMUSA PD complaint process and public education on racial profiling;
4. Statistical data on racial profiling;
5. Analysis of TAMUSA PD's compliance with applicable laws on racial profiling;

For purposes of this report and analysis, the following definition of racial profiling is used:

Article 3.05 of the Texas Code of Criminal Procedure defines Racial Profiling as: "A law enforcement-initiated action based on the individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity."

Texas A&M University-San Antonio Police Department's Policy on Racial Profiling

A review of TAMUSA PD General Order; Biased Based Profiling 100.11 revealed that the department has adopted policies to be in compliance with Article 2.132 of the Texas CCP (see Appendix 8). There are seven specific requirements mandated by Article 2. 132 that a law enforcement agency must address. All seven are clearly covered in the General Order. TAMUSA PD General Order provides clear direction that any form of racial profiling is prohibited and that officers found engaging in inappropriate profiling may be disciplined up to and including termination. The General Orders also provide a very clear statement of the agency's philosophy regarding equal treatment of all persons regardless of race or ethnicity.

Texas A&M University-San Antonio Police Department's Training and Education on Racial Profiling

Documentation reveals that racial profiling training and certification occurred in 2015 and was provided to all officers requiring such training. (Appendix C).

Texas A&M University-San Antonio Police Department's Complaint Process and Public Education on Racial Profiling

Article 2.132 §(b)3-4 of the Texas Code of Criminal Procedure requires that law enforcement agencies implement a complaint process on racial profiling and that the agency provide public education on the complaint process. TAMUSA PD General Order; Biased Based Profiling 100.11 covers this requirement. Specifically, the department has information regarding racial profiling and the complaint process on its website (<http://www.tamusa.edu/upd/>) and posted inside the police department in the lobby.

Statistical Data on Racial Profiling Analyses

Article 2. 132(b) 6 requires that law enforcement agencies collect statistical information on traffic stops in which a citation is issued and arrests with specific information on the race of the person cited. In

addition, information concerning searches of persons and whether or not the search was based on consent is also required to be collected. TAMUSA PD submitted statistical information on all citations in 2015 and accompanying information on the race of the person cited. Accompanying this data was the relevant information on searches.

The following chart depicts the percentages of people stopped by race in 2015 (168 total traffic stops). White (Caucasian) drivers constitute 24% of all drivers stopped, whereas they constituted 24% of the campus population and 6% of San Antonio's 78224 zip code (<http://www.city-data.com/zips/78224.html>).

Hispanic drivers constituted 70% of all drivers stopped. Hispanics constitute 62% of the campus population and 93% of San Antonio's 78224 zip code (<http://www.city-data.com/zips/78224.html>).

Percentages of people stopped by race in 2015

RACE ETHNICITY	CONTACTS	PERCENTAGE	DISPOSITION CITATIONS	DISPOSITION WARNINGS	SEARCHES	ARRESTS FROM TRAFFIC STOPS
AFRICAN	8	5%	0	8	0	0
ASIAN	0	0%	0	0	0	0
CAUCASIAN	41	24%	2	39	0	0
HISPANIC	118	70%	9	109	0	0
MIDDLE EASTERN	1	1%	0	1	0	0
NATIVE AMERICAN	0	0%	0	0	0	0
TOTALS	168	100%	11	157	0	0

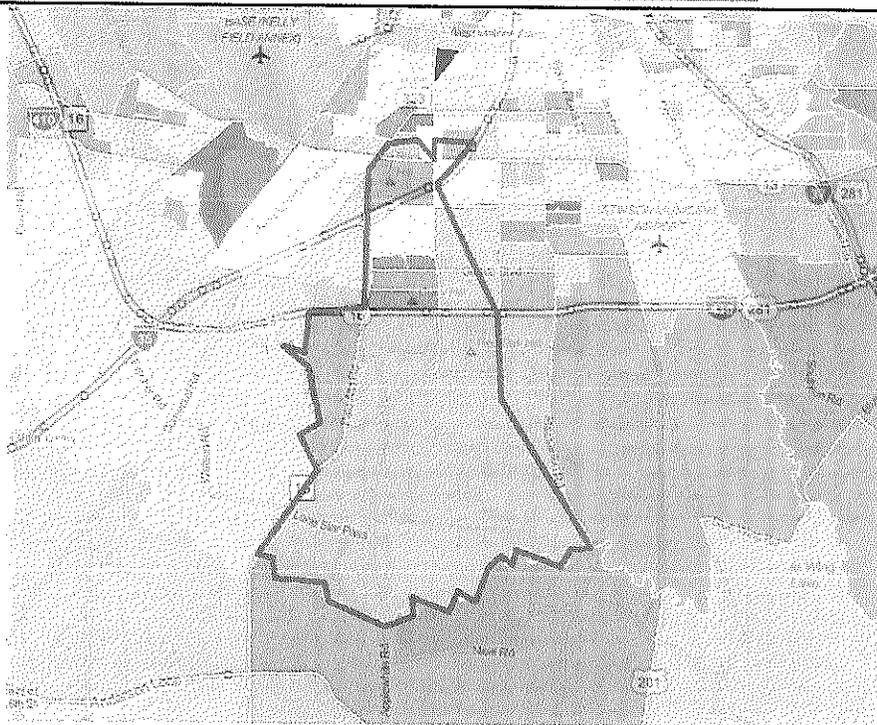
Campus population (self-identified to the A&M-SA Office of the Register)

ETHNICITY	SELF IDENTIFIED	PERCENTAGE
AMERICAN INDIAN/ALASKAN NATIVE	39	1%
ASIAN/PACIFIC ISLANDER	138	2%
BLACK – NON HISPANIC	437	6%
HISPANIC	4,150	62%
INTERNATIONAL/UNKNOWN OTHER	150	2%
WHITE	1,634	24%
NOT REPORTED	196	3%
TOTAL REPORTED	6,744	100%

78224 Area Population by (<http://www.city-data.com/zips/78224.html>)

RACE	SELF IDENTIFIED	PERCENTAGE
WHITE POPULATION	1,009	6%
BLACK POPULATION	146	1%
AMERICAN INDIAN POPULATION	29	0%
ASIAN POPULATION	33	0%
NATIVE HAWAIIAN AND OTHER PACIFIC ISLANDER POPULATION	8	0%
SOME OTHER RACE POPULATION	11	0%
TWO OR MORE RACES POPULATION	42	0%
HISPANIC OR LATINO POPULATION	16,323	93%
TOTAL REPORTED	17601	100%

78224 Zip Code as identified by www.city-data.com



The data reveals that Hispanic drivers are stopped at rates consistent with the percentage of Hispanics found in the campus and 78224 zip code. Whites (Caucasians) are stopped at rates lower than the percentages in the measured area;

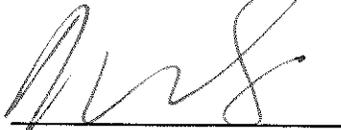
Analysis of Racial Profiling Compliance by Texas A&M University-San Antonio Police Department

The foregoing analysis shows that the Texas A&M University-San Antonio Police Department is fully in compliance with all relevant Texas laws concerning racial profiling, including the existence of a formal policy prohibiting racial profiling by its officers, officer training and educational programs, a formalized complaint process, and the collection of data in compliance with the law. Internal records indicate that during 2015 the department did not receive any bias-based/racial profiling complaints.



Alfredo Cooke, #8403
Sergeant
Professional Standards Unit

12 Feb 2016
Date



Ron Davidson
Chief of Police

2/12/2016
Date

Appendix A

Racial Profiling

Statutes and Laws

Art. 3.05. RACIAL PROFILING.

In this code, "racial profiling" means 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 individual as having engaged in criminal activity.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 2, eff. Sept. 1, 2001.

Art. 2.131. RACIAL PROFILING PROHIBITED.

A peace officer may not engage in racial profiling. Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.

(a) In this article:

- (1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.
- (2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.
- (3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's complaint process;
- (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

- (A) the Commission on Law Enforcement Officer Standards and Education; and
- (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(d) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(e) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

(f) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 25, eff. September 1, 2009.

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS.

(a) In this article, "race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a written warning or a citation as a result of the

stop. Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 26, eff. September 1, 2009.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article:

(1) "Motor vehicle stop" has the meaning assigned by Article 2.132(a).

(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(b) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; and

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(c) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(d) The Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(e) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(f) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 27, eff. September 1, 2009.

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT.

(a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 28, eff. September 1, 2009.

Art. 2.136. LIABILITY.

A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses.

(b) The criteria must give priority to:

- (1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;
- (2) smaller jurisdictions; and
- (3) municipal and county law enforcement agencies.

(c) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(d) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(e) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.138. RULES.

The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.1385. CIVIL PENALTY.

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of \$1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

Added by Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 29, eff. September 1, 2009.

Appendix B

	TEXAS A&M UNIVERSITY – SAN ANTONIO POLICE DEPARTMENT	
	General Order 100.11 Biased Based Profiling	
	Effective Date: July 14, 2014	Replaces: Racial Profiling 02/14
	 Approved: _____ Chief of Police	
	Reference: TBP 2.01, Texas Code of Criminal Procedure, Chapter 2, Articles 2.131 – 2.138 and 3.05	

I. Policy Statement

- A. It is the policy of this department to police in a proactive manner and, to aggressively investigate suspected violations of law. Officers shall actively enforce 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 bias based profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians.
- B. This department prohibits any profiling based on ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. **(TBP 2.01)**
- C. Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Two of the fundamental rights guaranteed by both the United States and Texas constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents. The right of all persons to be treated equally and to be free from unreasonable searches and seizures must be respected. Bias based profiling is an unacceptable patrol tactic and will not be condoned.
- D. This policy shall not preclude officers from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

II. Purpose

The purpose of this policy is to reaffirm the Texas A&M University-San Antonio Police Department's commitment to unbiased policing in all its encounters between officer and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of departmental policy and the law.

III. Definitions – For the purpose of this policy, the following definitions apply:

- A. 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 individual as having engaged in criminal activity.
- B. Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants or other citizen contacts. The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision. Race, ethnicity or national origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching. Detaining an individual and conducting an inquiry into that person’s activities simply because of that individual’s race, ethnicity or national origin is racial profiling.
 - 1. Examples of racial profiling include but are not limited to the following:
 - a. Citing a 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.
 - b. 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 possesses that specific make or model of vehicle.
 - c. Detaining an individual based upon 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.
 - 2. A law enforcement agency can derive at two principles from the adoption of this definition of racial profiling:
 - a. Police may not use racial or ethnic stereotypes as factors in selecting whom to stop and search, while police may use race in conjunction with other known factors of the suspect.
 - b. Law enforcement officers may not use racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling is not relevant as it pertains to witnesses, etc.
- C. Biased policing – stopping, detaining, searching, or attempting to search, or using force against a person based upon his or her race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.
- D. Race or Ethnicity – Of a particular decent, including Caucasian, African, Hispanic, Asian, or Native American.
- E. Traffic Stop – A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.

IV. Training

- A. Officers are responsible to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.
- B. All officers shall complete TCOLE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

- C. The chief of police, as part of the initial training and continued education for such appointment, will be required to attend the LEMIT program on racial profiling.
- D. An individual appointed or elected as a police chief before the effective date of this Act shall complete the program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act.

V. **Complaint Investigations**

- A. The department shall accept complaints from any person who believes he or she has been stopped or searched based on ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
- B. Any employee who receives an allegation of bias based profiling, including the officer who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channel or direct the individual(s) how to do so in accordance with General Order 100.13 – Internal Investigations.
- C. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period of time. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the chief. When applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be filed with the chief.
- D. If a bias based profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.
- E. If there is a departmental video or audio recording of the events upon which a complaint of biased based profiling is based, upon commencement of an investigation by this department into the complaint and written request of the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.

VI. **PUBLIC EDUCATION**

This department will inform the public of its policy against biased based profiling and the complaint process. Methods that may be utilized to inform the public are the news media, service or civic presentations, the Internet, department website as well as governing board meetings.

VII. **COLLECTION OF DATA AND REPORTING**

- A. An officer is required to collect information relating to traffic stops in which a citation is issued. On the citation officers must include:
 - 1. the race or ethnicity of the individual detained;
 - 2. whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - 3. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;

- B. By March of each year, the department shall submit a report to our Executive Team and TCOLE that includes the information gathered by the citations from the preceding calendar year. The report will include:
1. A list of citations by race or ethnicity;
 2. Number of citations that resulted in a search;
 3. Number of searches that were consensual; and
 4. Number of citations that resulted in custodial arrest for this cited violation or any other violation.



Ron Davidson, MS
Chief of Police

**Texas A&M University – San Antonio Police Department
Personnel Complaint**

Date: _____

Complainant's Full Name:	Complainant's Address:	Teleph one No:
Day & Date of alleged incidents(s):	Approximate time of alleged incidents(s):	
Location where incident occurred:		
If a person was arrested print name of arrested person:	Arrested person's address:	Teleph one No:
Indicate relationship of arrested person to complainant:		
Name or other identifying information relating to the employee against whom the allegation(s) is/are being made:		
Witness or Witnesses (if any)		
Name of witness:	Address of witness:	Telephone No.:
<p style="text-align: center;">Nature of Complaint(s) - Clearly indicate the nature of your complaint.</p> <p style="text-align: center;">(Use reverse side of the form if more space is needed.)</p>		

(Nature of Complaint - cont'd)

Complainant Signature Witnessed By:

Signature of Complainant
Date:

Copy Received:

_____ Complainant refused to affix signature

Employee Signature Date

Other (explain) Response Waived:

GOVERNMENT CODE

Section 614.022 Complaint to be in writing and Signed by Complainant.

To be considered by the head of a state agency or by the head of a fire or police department, the complaint must be: (1) in writing and (2) signed by the person making the complaint.

Section 614.023 Copy of Complaint to be Given to Officer or Employee.

- a) A copy of a signed complaint against a law enforcement officer, fire fighter or police officer shall be given to the officer or employee within a reasonable time after the complaint is filed.
- b) Disciplinary action may not be taken against the officer or employee unless a copy of the signed complaint is given to the officer or employee.

Appendix C

Test Result Summary Report

15 Rows, Generated by Alfredo Cook 1/22/2016 1:56 PM Central Standard Time

Note: Some information may not be visible due to security restrictions.

Test Name	Username	FirstName	LastName	Location	Job Title	Assigned Through	Currently Assigned	Status	Score	Completed Time
Biased Based Profiling 2015	rdavidson	Ronald	Davidson	Main	Chief	Direct Assignment	Yes	Pass	100	6/30/2015 8:08:08 AM
Biased Based Profiling 2015	ktucker	Karen	Tucker-Engel	Main	Police Officer	Direct Assignment	Yes	Pass	100	6/30/2015 4:42:39 PM
Biased Based Profiling 2015	sgonzales	Susan	Gonzales	Main	Police Officer	Direct Assignment	Yes	Pass	100	6/30/2015 9:30:01 PM
Biased Based Profiling 2015	mreyna01	Marisa	Reyna	Main	Dispatcher	Direct Assignment	Yes	Pass	100	6/30/2015 9:40:21 PM
Biased Based Profiling 2015	chmarmol	Carlos	Marmolejo		Police Officer	Direct Assignment	Yes	Pass	100	7/2/2015 7:25:48 PM
Biased Based Profiling 2015	kgrossma	Jeff	Grossman	Brooks	Police Officer	Direct Assignment	Yes	Pass	100	7/3/2015 11:29:47 PM
Biased Based Profiling 2015	acooke	Alfredo	Cook	Main	Sergeant	Direct Assignment	Yes	Pass	100	7/5/2015 4:44:14 PM
Biased Based Profiling 2015	gduran	Gerry	Duran	Brooks	Corporal	Direct Assignment	Yes	Pass	100	7/6/2015 11:13:02 PM
Biased Based Profiling 2015	sbarnette	Sharon	Barnette	Brooks	Police Officer	Direct Assignment	Yes	Pass	100	7/28/2015 7:44:22 PM
Biased Based Profiling 2015	ecampos	Eugene	Campos	Brooks	Police Officer	Direct Assignment	Yes	Pass	100	7/31/2015 12:46:16 PM
Biased Based Profiling 2015	rlopez	Roberto	Lopez	Main	Sergeant	Direct Assignment	Yes	Pass	100	8/1/2015 12:26:48 AM
Biased Based						Direct				9/16/2015

Profiling 2015	Iquintan	Lucy	Quintanilla	Main	Dispatcher	Assignment	Yes	Pass	100	12:54:40 PM
Biased Based Profiling 2015	dvanhorn	Deborah	Vanhorn	Main	Administrative Assistant	Direct Assignment	Yes	Pass	100	10/2/2015 8:59:25 AM
Biased Based Profiling 2015	ctingwald	Chris	Tingwald	Main	Police Officer	Direct Assignment	Yes	Pass	100	10/19/2015 12:12:47 PM
Biased Based Profiling 2015	LDuran	Gerardo	Duran	Main	Dispatcher	Direct Assignment	Yes	Pass	100	10/29/2015 4:30:21 PM