

HUMBLE ISD POLICE DEPARTMENT

# RACIAL PROFILING TRAFFIC & PEDESTRIAN STOP

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DATA REPORTING FOR YEAR 2015



SOLOMON COOK, CHIEF OF POLICE

LIEUTENANT JAMES HALL, PREPARER



# Humble ISD Police Department

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Solomon Cook, Chief of Police

**Date:** Thursday, February 18, 2016

**To:** Humble Independent School District Board Members  
**From:** Lt. James Hall  
**RE:** 2015 Racial Profiling Traffic & Pedestrian Stop Report

Honored Board Members:

Since January 1, 2015, the Humble Independent School District Police Department, in accordance with the Texas Racial Profiling Law (Senate Bill 1074), has been collecting police contact data for the purpose of identifying and responding, if necessary, to concerns regarding racial profiling practices. It is my hope that the findings provided in this report will serve as evidence that the Humble Independent School District Police Department remains committed in the opposition of Racial Profiling.

In this report, you will encounter several sections designated for providing background information on the rationale and objectives of the Racial Profiling Law. Other sections contain information relevant to the institutional policies adopted by the Humble Independent School District Police Department prohibiting the practice of racial profiling among its officers.

The final component of this report contains statistical data relevant to the public contacts made during the period of January 1, 2015 through December 31, 2015. This information has been analyzed and compared to the Texas Education Agency's ethnicity population data for the Humble Independent School District. The analysis of the data is also included.

Sincerely,

A handwritten signature in black ink that reads "Solomon Cook".

**Solomon Cook**  
Chief of Police  
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# HUMBLE ISD POLICE DEPARTMENT VISION & MISSION STATEMENT

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## Mission and Vision of the Humble Independent School District

### MISSION STATEMENT:

Our purpose, in partnership with families and community, is to develop each child intellectually, artistically, emotionally, physically, and socially so that all students are life-long learners, complex thinkers, responsible global citizens and effective communicators.

### VISION STATEMENT:

We envision schools where students and staff are enthusiastically engaged in learning within local and virtual environments. We see schools that encourage collaboration and cultivate a sense of belonging. We see learning standards that are rigorous and relevant. We see learning standards that inspire creativity and problem solving. Ultimately, we see schools that prepare students for many paths and that empower them with skills to successfully live in a rapidly changing world.



## Mission of the Humble Independent School District Police Department

### MISSION STATEMENT:

The Humble ISD Police Department is a proud organization of dedicated men and women, who strive to serve, educate and provide a safe and secure learning environment for the students and staff of the Humble Independent School District. This is truly an exciting time for the Department as we embark on a campaign to enhance our commitment and service by reaffirming our philosophy of “prevention before apprehension”.

The Humble ISD Police Department is a group of dedicated professional men and women committed to support the district’s mission by providing service-oriented enforcement of the law, maintaining the peace and protecting our school community.

All Humble ISD Police Officers are commissioned peace officers licensed by the State of Texas. They have the same arrest powers and authority as other Peace Officers in the State of Texas, with one difference; The Humble ISD Police Department is a highly trained force specializing in the critical but delicate protection of the students and staff of the district. The Department works together to address the very special needs of our schools by utilizing special training and police tactics that focus on the areas of school related law enforcement and protection.

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# **HISTORY OF THE HUMBLE ISD POLICE DEPARTMENT**

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## **History of the Humble Independent School District**

The Humble Independent School District began over 100 years ago as a one-room schoolhouse with 12 students, a teacher and a four month school term. Today, with 43 campuses, more than 39,000 students and over 5,000 employees, Humble Independent School District is nationally recognized for the outstanding education it offers to students. Humble Independent School District is listed among the 25 fastest growing school districts in Texas, and is currently the 31<sup>st</sup> largest district in the state.

## **History of the Humble Independent School District Police Department**

The Humble ISD Police Department began in 1993, when Mr. Don Maddox was hired by the district as security coordinator. In January 1994, the Humble ISD board of trustees voted to make application to the state for a school district police department and the application was approved in February of the next year. Don's title changed to Chief of Police, and several security officers were hired.

In December, 2003, Mr. Maddox retired and Captain Solomon Cook was promoted to Chief of Police. Chief Cook has been with Humble ISD since 1996, and was a police officer with the City of Humble before coming to Humble ISD. The growth of the district has called for the placement of full time police officers at ALL of the district's high schools as well as the middle schools.

A full time Security Officer has been assigned to each high school to assist the campus officers with parking and traffic.

As the district has grown over the years, so has the Humble ISD Police Department. The department has grown to more than 60 employees, including police officers, security officers, dispatchers and numerous other civilian employees.

These employees ensure that the district's fire systems, camera systems, burglar alarm systems stay in good working condition. Other employees for the department ensure that the proper safety drills are being done in a timely manner and according to federal regulations.

The department has grown to include 48 police officers, 5 security officers, 6 telecommunicators (dispatchers), and 8 civilian personnel. The patrol fleet has grown to 22 marked patrol vehicles including several Dodge Charger patrol cars and Chevrolet Tahoe SUVs. Our fully equipped, marked patrol vehicles are utilized 24 hours a day by the patrol division. The police department personnel patrol the district facilities 24 hours a day, 7 days a week and respond to alarms and calls for service. Our officers issue citations, complete offense reports and make arrests. Our officers also provide security at district athletic events and other campus functions. Our fleet also includes several unmarked vehicles for investigation purposes.

The growth of the district has called for the placement of full time police officers at ALL of the district's high schools and each of the middle schools. A full time security officer has been assigned to each high school to assist the campus officers.

As with all law enforcement agencies, continuous training is an important part of our police department. In 2014, our police department became one of six independent school districts in the State of Texas to be a

contract training provider. This allows our department to put our officers through the necessary and required training that the state mandates. This also allows us to train our officers (as well as other throughout the state) on specified training necessary and required for specifically for school district law enforcement personnel. More than ¼ of our district police officer are certified TCOLE (Texas Commission on Law Enforcement) Instructors.

In order to maintain our state license, our officers must complete a minimum of 40 hours of training every 24 months. Chief Cook makes every attempt to schedule these training classes during times when school is not in session.

Our Field Training Officer (FTO) Program consists of a team of our highest trained officers, handpicked by the Chief of Police, and sent through a rigorous Field Training Officer school (40 hour school). After completion of this school, the new Field Training Officers are able to train our newly hired police officers. The FTO course for our newly hired officers is a minimum 8 week course that they must complete. The FTO's train, guide and critique every new officer in every aspect of their position. The FTO's report directly to the FTO Commander, Lt. Bobby Brown, and he reports his findings directly to the Chief of Police.

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# SENATE BILL 1074

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S.B. No. 1074

## AN ACT

relating to electronic transmission of documentation involved in certain insurance transactions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 35.001, Insurance Code, is amended by amending Subdivision (2) and adding Subdivisions (3), (4), and (5) to read as follows:

(2) "Regulated entity" means each insurer, ~~[or other]~~ organization, person, or program regulated by the department, including:

- (A) a domestic or foreign, stock or mutual, life, health, or accident insurance company;
- (B) a domestic or foreign, stock or mutual, fire or casualty insurance company;
- (C) a Mexican casualty company;
- (D) a domestic or foreign Lloyd's plan;
- (E) a domestic or foreign reciprocal or interinsurance exchange;
- (F) a domestic or foreign fraternal benefit society;
- (G) a domestic or foreign title insurance company;
- (H) an attorney's title insurance company;
- (I) a stipulated premium company;
- (J) a nonprofit legal service corporation;
- (K) a health maintenance organization;
- (L) a statewide mutual assessment company;
- (M) a local mutual aid association;
- (N) a local mutual burial association;
- (O) an association exempt under Section 887.102;
- (P) a nonprofit hospital, medical, or dental service corporation, including a company subject to Chapter 842;
- (Q) a county mutual insurance company; ~~[and]~~
- (R) a farm mutual insurance company; and
- (S) an agency or agent of an insurer,

organization, person, or program described by this subdivision.

(3) "Deliver by electronic means" means:

- (A) deliver to an e-mail address at which a party has consented to receive notices, documents, or information; or
- (B) post on an electronic network or Internet website accessible by an electronic device, including a computer, mobile device, or tablet, and deliver notice of the posting to an e-mail address at which the party has consented to receive notices.

(4) "Party" means a recipient, including an applicant,

insured, policyholder, enrollee, or annuity contract holder, of a notice or document or of information required as part of an insurance transaction.

(5) "Written communication" means a notice or document or other information provided in writing.

SECTION 2. Chapter 35, Insurance Code, is amended by amending Section 35.004 and adding Section 35.0045 to read as follows:

Sec. 35.004. MINIMUM STANDARDS FOR REGULATED ENTITIES ELECTRONICALLY CONDUCTING BUSINESS WITH CONSUMERS.

(a) Subject to Subsection (c), a notice to a party or other written communication with a party required in an insurance transaction or that is to serve as evidence of insurance coverage may be delivered, stored, and presented by electronic means only if the delivery, storage, or presentment complies with Chapter 322, Business & Commerce Code.

(b) Delivery of a written communication in compliance with this section is equivalent to any delivery method required by law, including delivery by first class mail, first class mail, postage prepaid, or certified mail.

(c) A written communication may be delivered by electronic means to a party by a regulated entity under this section if:

(1) the party affirmatively consented to delivery by electronic means and has not withdrawn the consent;

(2) the party, before giving consent, is provided with a clear and conspicuous statement informing the party of:

(A) any right or option the party may have for the written communication to be provided or made available in paper or another nonelectronic form;

(B) the right of the party to withdraw consent under this section and any conditions or consequences imposed if consent is withdrawn;

(C) whether the party's consent applies:

(i) only to a specific transaction for which the written communication must be given; or

(ii) to identified categories of written communications that may be delivered by electronic means during the course of the relationship between the party and the regulated entity;

(D) the means, after consent is given, by which a party may obtain a paper copy of a written communication delivered by electronic means; and

(E) the procedure a party must follow to:

(i) withdraw consent under this section;

and

(ii) update information needed for the regulated entity to contact the party electronically; and

(3) the party:

(A) before giving consent, is provided with a statement identifying the hardware and software requirements for the party's access to and retention of a written communication

delivered by electronic means; and

(B) consents electronically or confirms consent electronically in a manner that reasonably demonstrates that the party can access a written communication in the electronic form used to deliver the communication.

(d) After consent of the party is given, in the event a change in the hardware or software requirements to access or retain a written communication delivered by electronic means creates a material risk that the party may not be able to access or retain a subsequent written communication to which the consent applies, the regulated entity shall:

(1) provide the party with a statement:

(A) identifying the revised hardware and software requirements for access to and retention of a written communication delivered by electronic means; and

(B) disclosing the right of the party to withdraw consent without the imposition of any condition or consequence that was not disclosed under Subsection (c)(2)(B); and

(2) comply with Subsection (c)(3).

(e) This section does not affect requirements for content or timing of any required written communication.

(f) If a written communication provided to a party expressly requires verification or acknowledgment of receipt, the written communication may be delivered by electronic means only if the method used provides for verification or acknowledgment of receipt.

(g) The legal effectiveness, validity, or enforceability of any contract or policy of insurance executed by a party may not be denied solely due to the failure to obtain electronic consent or confirmation of consent of the party in accordance with Subsection (c)(3)(B).

(h) A withdrawal of consent by a party does not affect the legal effectiveness, validity, or enforceability of a written communication delivered by electronic means to the party before the withdrawal of consent is effective. A withdrawal of consent is effective within a reasonable period of time after the date of the receipt by the regulated entity of the withdrawal. Failure by a regulated entity to comply with Subsection (d) may be treated by the party as a withdrawal of consent.

(i) If the consent of a party to receive a written communication by electronic means is on file with a regulated entity before September 1, 2013, and if the entity intends to deliver to the party written communications under this section, then before the entity may deliver by electronic means additional written communications, the entity must notify the party of:

(1) the written communications that may be delivered by electronic means that were not previously delivered by electronic means; and

(2) the party's right to withdraw consent to have written communications delivered by electronic means.

(j) Except as otherwise provided by law, an oral communication or a recording of an oral communication may not

qualify as a written communication delivered by electronic means for purposes of this chapter.

(k) If a signature on a written communication is required by law to be notarized, acknowledged, verified, or made under oath, the requirement is satisfied if the electronic signature of the notary public or other authorized person and the other required information are attached to or logically associated with the signature or written communication.

Sec. 35.0045. RULES. [(a)] The commissioner shall adopt rules necessary to implement and enforce this chapter.

~~[(b) - - The rules adopted by the commissioner under this section must include rules that establish minimum standards with which a regulated entity must comply in the entity's electronic conduct of business with other regulated entities and consumers.]~~

SECTION 3. Chapter 35, Insurance Code, is amended by adding Section 35.005 to read as follows:

Sec. 35.005. EXEMPTION FROM CERTAIN FEDERAL LAWS. This chapter modifies, limits, or supersedes the provisions of the federal Electronic Signatures in Global and National Commerce Act (15 U.S.C. Section 7001 et seq.) as authorized by Section 102 of that Act (15 U.S.C. Section 7002).

SECTION 4. This Act applies only to a written communication that is delivered by electronic means on or after January 1, 2014. A written communication delivered by electronic means before January 1, 2014, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 5. This Act takes effect September 1, 2013.

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# GUIDELINES FOR COMPILING & REPORTING UNDER SENATE BILL 1074

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## Background

Senate Bill 1074 of the 77th Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements. The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of what must be accomplished by an agency but allows wide latitude in determining how the agency will achieve compliance with each applicable standard. Each standard is composed of two parts: the standard statement and the commentary. The standard statement is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

## Standard 1

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

## Commentary

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute as an "agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties." The article further defines race or ethnicity as being of "a particular descent, including Caucasian, African, Hispanic, Asian, or Native American." The statute does not limit the required policies to just these ethnic groups. This written policy is to be adopted and implemented no later than January 1, 2002.

## Standard 2

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person's race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer's best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;

- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

## **Commentary**

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, “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 for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.”

## **Standard 3**

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

## **Commentary**

Senate Bill 1074 from the 77th Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide an analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

The minimum requirements for “tier one” data for traffic stops in which a citation results are: 1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American”); 2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and 3) whether there was a custody arrest.

The minimum requirements for reporting on “tier two” reports include traffic and pedestrian stops. Tier two data include: 1) the detained person’s gender and race or ethnicity; 2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous); 3) whether a search was conducted, and if so whether it was based on consent or probable cause; 4) facts supporting probable cause; 5)

the type, if any, of contraband that was collected; 6) disposition of the stop, e.g., arrest, ticket, warning, or release; 7) location of stop; and 8) statement of the charge, e.g., felony, misdemeanor, or traffic.

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

## **Standard 4**

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

## **Commentary**

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

## **Standard 5**

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

## **Commentary**

None

## **Standard 6**

Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- video and audio documentation is retained for at least 90 days.

## **Commentary**

The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

## **Standard 7**

Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

## **Commentary**

Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.

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# HUMBLE ISD POLICE DEPARTMENT RACIAL PROFILING POLICY

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## RACIAL PROFILING

Date Issued: 6-2005

Date Revised: 2-2006

### Purpose:

The purpose of the policy is to reaffirm the Humble ISD 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 the department policy and the law.

### I) Policy

- A. It is the policy of this department to police in a proactive manner and, to aggressively investigate suspected violations of the law.
  - 1. Officers shall actively enforce state and federal laws in a responsible and professional manner, without regard to race, ethnicity, or national origin.
  - 2. Officers are strictly prohibited from engaging in racial profiling as defined in this policy
  - 3. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians
- B. Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public.
  - 1. 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
  - 2. The right of all persons to be treated equally and to be free from unreasonable searches and seizures must be respected
  - 3. Racial profiling is an unacceptable patrol tactic and will not be condoned.
- C. 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) Definitions

- 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
  - 1. 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
  - 2. 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.
    - A. 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.

- B. Examples of racial profiling include but are not limited to the following:
  1. 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
  2. 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
  3. 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
- C. A law enforcement agency can derive at two principles from the adoption of this definition of racial profiling:
  1. 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
  2. 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.
- B. Race or Ethnicity – of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American
- C. Pedestrian Stop – an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest
- D. Traffic Stop – a peace officer that stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.

### III) 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 a 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 on the date the officer applies for an intermediate proficiency certificate, whichever is easier.
  1. A person who on September 1, 2001, held a TCOLE intermediate proficiency certificate, or who held a peace officer license issued by TCOLE for at least two (2) years, shall complete a TCOLE training and education program on racial profiling not later than September 1, 2003.
- 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 (G), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003

### IV) Complaint Investigation

- A. The department shall accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic, or national origin profiling.
  1. 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 racial profiling, including the officer who initiated the stop, shall record the person's name, address, telephone number, and forward the complaint through the appropriate channel or direct the individual(s).
  1. Any employee contacted shall provide to that person a copy of the complaint form.
  2. the employee shall give explanation of the department process for filing the complaint.
    - A. All employees will report any allegation of racial profiling to their superior before the end of their shift.

- 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 a disposition regarding said complaint within a reasonable period of time.
  - 1. the investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the chief.
  - 2. when applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be filed with the chief.
- D. If a racial 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 racial 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.

V) Public Education

- A. This department will inform the public of its policy against racial profiling and the complaint process.
- B. Methods that may be utilized to inform the public are the news media, radio, service or civic presentations, the Internet, as well as governing board meetings.
- C. Additionally, information will be made available as appropriate in languages other than English.

VI) Citation Data and Collection

- 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. violator's race or ethnicity
  - 2. whether a search is conducted
  - 3. was the search consensual
  - 4. arrest for this cited violation or any other violation
- B. By March of each year, the department shall submit a report to the School Board that includes the information gathered by the citations. This report will include:
  - 1. a breakdown of citations by race and ethnicity
  - 2. number of citations that resulted in a search
  - 3. number of searches that were consensual
  - 4. number of citations that resulted in custodial arrest for this cited violation or any other violations
- C. Not later than March 1<sup>st</sup> of each year, this department shall submit a report to the School Board containing this information from the preceding calendar year

VII) Collection and Reporting Information Gathered from Traffic and Pedestrian Stops

- A. An officer who stops a motor vehicle for an alleged violation of the law or ordinance regulating traffic, or who stops a pedestrian (as defined in Transportation Code 541.001) for any suspected offense, shall record and report the following information:
  - 1. a physical description of each person detained as a result of the stop, including the person's gender, race or ethnicity, as stated by the person or as determined by the officer to the best of his/her ability
  - 2. the street address or approximate location of the stop. the suspected offense or the traffic law or ordinance alleged to have been violated
  - 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 probable cause to search existed as, if so, the fact(s) supporting the existence of that probable cause

5. whether any contraband was discovered in the course of the search and, if so, the type of contraband discovered
  6. whether the officer made an arrest as a result of the stop and/or search, and if so, a statement of the offense charged
  7. the warning citation or citation number issued by the officer as a result of the stop and a statement of the offense
- B. This department shall compile and analyze the information contained in these individual reports. Not later than March 1<sup>st</sup> of each year, this department shall submit a report to our School Board containing the information compiled from the preceding calendar year in a manner they approve. This report will include:
1. a comparative analysis of the information contained in the individual reports in order to:
    - A. determine the prevalence of racial profiling by officers in this department
    - B. examine the disposition of traffic and pedestrian stops made by this department's officers, including searches resulting from stops
  2. Information relating to each complaint filed with this department alleging racial profiling
  3. This report will not include identifying information about a peace officer who makes a stop or about an individual who is stopped or arrested by a peace officer.

Approved:   
Solomon Cook, Chief of Police

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## PUBLIC COMPLAINT PROCESS

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### **Humble ISD Police Department**

1703 Wilson Rd. Bldg. E, Humble, TX 77396

281-641-7900(Dispatch) 281-446-4044(Fax)

Solomon Cook, Chief of Police

**To:** Members of the General Public  
**From:** Solomon Cook, Chief of Police  
**RE:** **Racial Profiling Public Complaint Process**

Members of the General Public:

Individuals who believe that the Humble I.S.D. Police Department or one of its officer(s) has violated the racial profiling policy may file a complaint. In order for a complaint against an Humble I.S.D. peace officer to be considered by the head of the Humble I.S.D. Police Department, the complaint must be made in writing and signed by the person making the complaint. A copy of the complaint shall be given to the accused officer(s) within ten (10) business days after the complaint is filed.

The complaint should be made to the Chief of Police (or his designee), who will respond within ten (10) business days of his receipt of the complaint, unless circumstances require more time to investigate, in which case the Chief of Police will notify the complainant of the date on which he or she will respond. The Chief of Police may schedule a meeting with the complainant and/or with any officer(s) involved, in order to discuss the matter. Upon completing his investigation of the complaint, the Chief of Police shall issue a decision on the matter and, if appropriate, take corrective action against any officer(s) found to be in violation of the racial profiling policy.

Thank you,

A handwritten signature in black ink, appearing to read "Solomon Cook", is written in a cursive style.

**Solomon Cook**  
**Chief of Police**  
**Humble ISD Police Department**  
**281-641-7900 (Dispatch)**  
**281-641-7902 (Office)**  
**281-446-4044 (Fax)**

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# WEB POSTING

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At [www.humbleisd.net/police](http://www.humbleisd.net/police), under the Information tab, subsection About Us, you will find a page for Complaints Against Officers. This web page allows for any individual to read the Board Policy CKE as well as download the Humble ISD Police Department's Official Complaint Form. See the picture of the web page below.

The screenshot shows a web browser window displaying the Humble ISD Police website. The browser's address bar shows the URL [humbleisd.net/Page/70071](http://humbleisd.net/Page/70071). The website header features the Humble ISD Police logo and the tagline "Protecting and Serving While Supporting Learning". A navigation menu includes "HOME", "INFORMATION", "TRAINING", "TRUANCY", "OPERATIONS", "COMMUNICATIONS", "SAFE & SECURE", and "EMPLOYEES". The "About Us" section is active, with a sub-menu listing "Overview", "Our Mission", "Police Administration", "Department History", "FAQs", "Divisions", "Complaints Against Officers", and "The Law". The main content area displays the breadcrumb "Home > Information > About Us > Complaints Against Officers" and a blue link: "To File an Official Complaint Against an Humble ISD Officer, please follow the link below for the proper form." Below this link is a red note: "Please select Policy CKE (Exhibit) from the Humble ISD Board Policy Manual." A red note at the bottom of the page states: "NOTE: The form above must be completed and notarized. Once completed and notarized, the form must be brought to the Humble ISD Police Department located at 1703 Wilson Road Building E, Humble, TX 77396. You must meet with an investigator regarding the complaint being made. Please contact 281-641-7900 in order to set up an appointment with the investigator." The footer of the website includes a star logo, the phone number "281-641-7900", and the text "POLICE DEPARTMENT" and "FAX: 281-646-4044".

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# 2015 TRAFFIC / PEDESTRIAN STOP DATA REPORT

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## TCOLE 2015 RACIAL PROFILING AGENCY REPORT WIZARD FOR TIER 2

Department Name: HUMBLE I.S.D. POLICE DEPT.

Agency Number: 201936

**Step 4:** Please fill out all boxes. If zero, use 0. The total on lines 3, 10, 13, 18, 21, 40 and 51 must be equal. The total on line 27 and 30 must equal line 19. The total on line 37 must equal line 28.

### HUMBLE I.S.D. POLICE DEPT. Motor Vehicle Racial Profiling Information

#### Number of motor vehicle stops:

1.  Female

2.  Male

3.  **Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

#### Race or Ethnicity:

4.  African

5.  Asian

6.  Caucasian

7.  Hispanic

8.  Middle Eastern

9.  Native American

10.  **Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

#### Race or Ethnicity known prior to stop?

11.  Yes

12.  No

13.  **Total**(3, 10, 13, 18, 21, 40 and 51 must be equal)

#### Reason for stop?

14.  Violation of law other than traffic

15.  Pre-existing knowledge (i.e. warrant)

16.  Moving Traffic Violation

17.  Vehicle Traffic Violation (Equipment, Inspection or Registration)

18.  **Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

#### Search conducted?

19.  Yes

20.  No

21.  **Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

**Reason for search?**

22.  Consent

23.  Contraband/evidence in plain sight

24.  Probable cause or reasonable suspicion

25.  Inventory search performed as result of towing

26.  Incident to arrest/warrant

27.  **Total** (Must equal line 19)

**Contraband discovered?**

28.  Yes

29.  No

30.  **Total** (Must equal line 19)

**Description of Contraband**

31.  Illegal drugs/drug paraphernalia

32.  Currency

33.  Weapons

34.  Alcohol

35.  Stolen property

36.  Other

37.  **Total** (Must equal line 28)

**Arrest result of stop or search:**

38.  Yes

39.  No

40.  **Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

**Arrest based on:**

41.  Violation of the Penal Code

42.  Violation of a Traffic Law

43.  Violation of City Ordinance

44.  Outstanding Warrant

**Total** (Must equal line 38)

**Street address or approximate location of the stop:**

45.  City Street

46.  US Highway  
47.  County Road  
48.  Private Property or Other  
 **Total** (Must equal line 3)

**Written warning or a citation as a result of the stop:**

49.  Yes  
50.  No

51.  **Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

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## **SUMMARY STATEMENT**

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The findings suggest that the Humble Independent School District Police Department does not currently experience a problem regarding racial profiling practices. This is supported by the fact that it has / has not received complaints from community members regarding officers' misconduct associated with racial profiling practices.

The continuing effort to collect police contact data will assure an on-going evaluation of the Humble Independent School District Police Department practices. This allows for the citizens of the Humble Independent School District community to benefit from their police department.