

# TEXAS DEPARTMENT OF PUBLIC SAFETY

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512/424-2000

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Lt. Donald Graham  
P.O. Box 11287  
Midland, Texas 78702

Dear Lt. Donald Graham:

The Department has received your agency's request for driver record information to assist you in complying with the requirements of Code of Criminal Procedures §2.131.

This report was generated in January 2016. The report reflects the race demographics by county and zip code for all driver license records on the date the report was generated. For all future requests, you must specifically indicate each zip code and/or county for which you want information.

Data provided in this report is derived from the race codes maintained in the Department's driver record file. Race codes are established for the purpose of driver license issuance and include Black, White, Indian, Asian, Hispanic and Other. According to the Texas Law Enforcement Manual §02.10.04 (1a), "Other" is to be used for those of "mixed" races/backgrounds who refuse to accept any of these classifications, or for other unusual situations.

Driver Record information is exempted from release under the Open Records Act and provides that information relating to an individual's driver license can be released only in accordance with Chapter 730 of the Texas Transportation Code (TRC). This statute allows the release of driver record information to a government law enforcement entity. Further, TRC §521.049(c) provides the authority to release information in a class-type listing to a government entity. However, the Department is prevented from releasing class-type listings to nongovernmental entities under TRC §521.051.

The Department understands that the intended use of the requested information could lead to its release in an open government forum or a required report. However, the Department is not waiving any exceptions to disclosure under the Open Records Act by providing this report. In addition, due to restrictions related to providing class-type listings to nongovernmental entities, the Department requests that your agency refrain from disseminating this document.

If we may be of further service, please contact the Driver Record Section at (512) 424-2032.

Manager  
License and Record Services

**Partial Exemption Racial Profiling Reporting  
(Tier 1)**

**Department Name** MIDLAND COUNTY SHERIFF'S OFFICE  
**Agency Number** 329100  
**Chief Administrator Name** SHERIFF GARY PAINTER  
**Reporting Name** SHERIFF GARY PAINTER  
**Contact Number** (432) 688-4600  
**E-Mail Address** gary\_painter@co.midland.tx.us

**Certification to Report 2.132 (Tier 1) – Partial Exemption**

**Policy Requirements (2.132(b) CCP):**

**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 Texas Commission on Law Enforcement; 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.

These policies are in effect

  
\_\_\_\_\_  
Chief Administrator

2/3/2016  
\_\_\_\_\_  
Date

**Partial Exemption Racial Profiling Reporting  
(Tier 1)**

**Video and Audio Equipment Exemption**

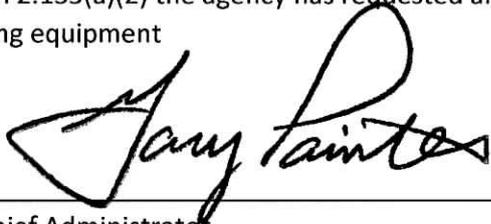
**Partial Exemption Claimed by (2.135(a) CCP):**

X all cars regularly used for motor vehicle stops are equipped with video camera  
And transmitter-activated equipment and each motor stop is recorded and the  
Recording of the stop is retained for at least 90 days after the stop

OR

       In accordance with 2.135(a)(2) the agency has requested and not received funds to  
Install the recording equipment

I claim this exemption

  
\_\_\_\_\_  
Chief Administrator

2/3/2016  
Date

Midland County Sheriff's Office  
 Racial Profiling Report  
 For Year 2015

Although the Midland County Sheriff's Office qualifies for the *Tier 1 Reporting - Partial Exemption*, our agency also submits additional Analysis in furtherance of our strict racial profiling policy.

Total Contacts with Written Warning or Citation:

Warnings:	<u>2805</u>	
Citations:	<u>4009</u>	Total: <u>6814</u>

Contact Type:

Vehicle Contact	<u>6772</u>	
Pedestrian Contact	<u>42</u>	Total: <u>6814</u>

Stops by Gender:

Female:	<u>1580</u>	
Male:	<u>5234</u>	Total: <u>6814</u>

Stops By Ethnicity:

Asian:	<u>28</u>	
Black:	<u>395</u>	
Hispanic:	<u>2719</u>	
Middle Eastern:	<u>2</u>	
Native American:	<u>3</u>	
White/Non-Hispanic:	<u>3667</u>	Total: <u>6814</u>

Race or Ethnicity Known Prior to Stop:

Race Known Prior to Stop:	<u>129</u>	
Race Unknown Prior to Stop:	<u>6685</u>	Total: <u>6814</u>

Arrest Made With (Warning & Citation):

Yes:	<u>130</u>	
No:	<u>6684</u>	Total: <u>6814</u>

Arrest with Citation Type:

Outstanding Warrant	<u>18</u>	
Local Ordinance	<u>0</u>	
Penal Code Violation	<u>10</u>	
Traffic Code Violation	<u>20</u>	Total: <u>48</u>

Arrest with Warning Type:

Outstanding Warrant	<u>42</u>	
Local Ordinance	<u>0</u>	
Penal Code Violation	<u>8</u>	
Traffic Code Violation	<u>32</u>	Total: <u>82</u>

Search Conducted:

Yes:	<u>149</u>	
No:	<u>6665</u>	Total: <u>6814</u>

Search Consented:

Consent:	<u>56</u>	
No-Consent:	<u>93</u>	Total: <u>149</u>

Reason for Search:

Consented:	<u>56</u>	
Incident to Arrest:	<u>53</u>	
Inventory:	<u>30</u>	
Probable Cause:	<u>10</u>	Total: <u>149</u>

Contraband Found:

Yes:	<u>47</u>	
No:	<u>102</u>	Total: <u>149</u>

Type of Contraband Found:

Drugs:	<u>31</u>	
Weapons:	<u>2</u>	
Currency:	<u>1</u>	
Other:	<u>13</u>	Total: <u>47</u>

79701

	AMERICAN INDIAN/ ALASKAN NATIVE	ASIAN/ PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
MALE	46	91	2,198	3,710	11,781	204	18,030
FEMALE	48	117	1,775	2,845	10,411	162	15,358
ALL	94	208	3,973	6,555	22,192	366	33,388

79702

	AMERICAN INDIAN/ ALASKAN NATIVE	ASIAN/ PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
MALE	0	0	30	34	241	1	312
FEMALE	2	0	15	23	100	0	140
ALL	2	0	51	57	341	1	452

79703

	AMERICAN INDIAN/ ALASKAN NATIVE	ASIAN/ PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
MALE	46	219	740	1,931	8,791	132	11,799
FEMALE	38	202	573	1,533	8,291	110	10,747
ALL	84	421	1,313	3,464	17,022	242	22,546

79704

	AMERICAN INDIAN/ ALASKAN NATIVE	ASIAN/ PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
MALE	0	0	3	7	56	2	68
FEMALE	0	0	5	4	34	0	43
ALL	0	0	8	11	80	2	111

79705

	AMERICAN INDIAN/ ALASKAN NATIVE	ASIAN/ PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
MALE	49	277	2,026	2,435	14,899	203	18,829
FEMALE	51	272	1,951	1,781	14,238	165	18,358
ALL	100	549	3,877	4,216	29,077	368	38,187

79706

	AMERICAN INDIAN/ ALASKAN NATIVE	ASIAN/ PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
MALE	24	79	293	2,482	9,433	133	12,444
FEMALE	34	77	200	1,812	8,752	111	10,986
ALL	58	156	493	4,294	18,185	244	23,430

79707

	AMERICAN INDIAN/ ALASKAN NATIVE	ASIAN/ PACIFIC ISLANDER	BLACK	HISPANIC	WHITE	OTHER	ALL RACES
MALE	90	961	1,003	1,602	15,352	239	18,247
FEMALE	85	795	732	1,233	14,881	175	17,901
ALL	175	1,756	1,735	2,835	30,233	414	37,148