

# **Taft I.S.D. Police Department**

## **Racial Profile Report**

### **POLICE CONTACT DATA ANNUAL REPORT**

**-2014-**

Presented by:  
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Chief of Police  
Taft I.S.D. Police Department

February 17, 2015

Since January 1, 2002, the Taft I.S.D. Police Department in accordance with the Texas Racial Profiling Law (S.B. No. 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 Taft I.S.D. police department continues to strive towards the goal of maintaining strong relations with the community.

In this report, the reader will encounter several sections designed at providing background information on the rationale and objectives of the Texas Racial Profiling Law. Other sections contain information relevant to the institutional policies adopted by the Taft I.S.D. Police Department banishing the practice of racial profiling among its officers.

The final components of this report provide statistical data relevant to the public contacts made during the period of 1/1/14 and 12/31/14. This information has been analyzed and compared to the Department of Public Safety data on motorists residing in the Taft area. The analysis of the data and recommendations for future areas of research are also included. It is my sincere hope that the channels of communication between community leaders and the Taft I.S.D. police department continue to strengthen as we move forward to meet the challenges of the near future.

Sincerely,

Antonio Arsuaga IV  
Chief of Police

# Taft I.S.D. Police Department Contact Data Annual Report January 1, 2014---December 31, 2014

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AN ACT

relating to the prevention of racial profiling by certain peace officers.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

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 traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American 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 traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained; and  
(B) whether a search was conducted and, if so, whether the person detained consented to the search; and  
(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) 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.

(d) 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 traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic 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.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic 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).

(f) 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.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND PEDESTRIAN STOPS. (a) In this article:

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

(2) "Pedestrian stop" means 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.

(b) A 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 shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person 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 traffic law or ordinance alleged to have been violated or the suspected offense;

(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 was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

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

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED. (a) In this article, "pedestrian stop" means 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.

(b) 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 local law enforcement agency shall submit a report containing the information compiled during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

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

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and

(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; 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.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a traffic or pedestrian 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).

(e) The Commission on Law Enforcement Officer Standards and Education shall develop guidelines for compiling and reporting information as required by this article.

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

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency 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 traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

(B) each traffic and pedestrian 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 traffic and pedestrian 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 traffic or pedestrian 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.

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.

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. 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.

(b) 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.

(c) 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.

(d) 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).

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

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.

SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for:

(1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;

- (2) implementing laws and internal agency policies relating to preventing racial profiling; and
- (3) analyzing and reporting collected information.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

- (1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;
- (2) the registration number of the vehicle involved;
- (3) whether the vehicle was a commercial motor vehicle as defined by Chapter 522 or was involved in transporting hazardous materials;
- (4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial driver learner's permit;
- (5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter 522;

(6) whether a search of the vehicle was conducted and whether consent for the search was obtained;

(7) the plea, the judgment, and whether bail was forfeited;

(8) [~~7~~] the date of conviction; and

(9) [~~8~~] the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002:

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established

under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 2001 \_\_\_\_\_

\_\_\_\_\_  
President of the Senate                      Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

## Guidelines for Compiling and Reporting Data under Senate Bill 1074

### Background

Senate Bill 1074 of the 77<sup>th</sup> 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 77<sup>th</sup> 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.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

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.

## History and Demographics of Taft, Texas

The origin of Taft goes back to the formation of the Coleman-Fulton Pasture Company in 1880 later known as the Taft Ranch. In 1900, a transition from ranching to farming began. In 1904, the Taft Ranch put 200 acres into cultivated cotton acreage. By 1909, there were 2,300 acres in cultivation. In 1903, the Company established a store at Mesquital, a railroad spur serving a series of loading pens, and in 1904, a town was formed at this site between Gregory and Sinton, and it was renamed Taft. In 1909, Taft began to experience the initial stages of development. The first school was sectioned off in an old warehouse in 1904. The first industry in Taft was a cotton gin. The railroad located a passenger depot in Taft in 1908. In 1909, an assembly hall was completed, and President William Howard Taft paid his famous visit. In August 1921, the Taft Independent School District was formed. In 1921, the Taft Tribune began publication, and in 1923, the First State Bank and the First National Bank were organized. Taft was incorporated as a municipality in 1929.

According to the U.S. Census Bureau, Census 2000 Redistricting Data (Public Law 94-171) Summary File, Matrices PL1, PL2, PL3, and PL4, the demographics of the Taft community is as follows:

<b>Race/Ethnicity</b>	<b>City of Taft</b>	<b>Taft CDP</b>	<b>Total for Taft Community</b>
	<b>Number</b>	<b>Number</b>	<b>Total Number All Ages</b>
Hispanic	2276	1671	<b>3947</b>
White*	987	46	<b>1033</b>
Black*	107	1	<b>108</b>
Asian*	2	0	<b>2</b>
American Indian*	2	1	<b>3</b>
Other**	22	2	<b>24</b>
<b>Total</b>	<b>3396</b>	<b>1721</b>	<b>5117</b>

\*Non Hispanic or Latino

\*\*Non Hispanic or Latino and of Two or more races

The population figures above represent both the City of Taft and the Taft CDP, an unincorporated residential area contiguous to the City of Taft. A CDP, or Census Designated Place, is a statistical entity that serves as a statistical counterpart of an incorporated place for the purpose of presenting census data for a concentration of population, housing and commercial structures that is identifiable by name, but not within an incorporated place. The figures for the column above are provided for the CDP known as Taft Southwest.

## **Background and Demographics of the Taft ISD Police Department**

Taft I.S.D. Superintendent Don Madden founded the Taft I.S.D police department in 1999 in conjunction with the Taft School Board. At the time, the Taft I.S.D. would depend on the City of Taft Police Department for services. Mr. Madden felt the need for an improved safe environment for all the schools. School violence, although not a major concern at Taft I.S.D., was something the administration did not want to become a problem. A chance to improve the relationship between students and police officers was another reason for starting the program.

Today, the Taft I.S.D. Police Department (TISDPD) is made up of 2 commissioned peace officers. The demographics of the department are as follows: 1 Hispanic Male and 1 Caucasian Male. The TISDPD officers are committed to performing their jobs in a professional manner while serving the members of the Taft Independent School District community.

Since 1999, the Taft I.S.D. Police Department has been promoting, to all its members, to engage in School Resource Officer and Community-Policing practices in order to provide quality service to all members of the Taft I.S.D. community. In 2002, The Taft I.S.D. Police Department adopted a policy, in accordance to the Texas Law on Racial Profiling, banishing racial profiling practices among all TISDPD officers.

Other Law enforcement resources that serve the Taft Community are the City of Taft Police Department, San Patricio County Sheriff's Office, and the San Patricio County Constable's Office Pct. 8.

## **Taft I.S.D. Police Department General Information**

The following section establishes the mission, values, objectives, oath, and employment practices of the Taft I.S.D. Police Department. Each of these components is reviewed on an annual basis in order to ensure it adequately addresses the emerging needs of the department and the Taft I.S.D. community.

### ***Mission***

The Taft I.S.D. Police Department is committed to promoting student achievement by promoting a safe educational environment for all, free from the fear of crime and victimization and providing a professional law enforcement service to the students and staff of the Taft I.S.D. and its Community.

### ***Values***

We, the members of the Taft I.S.D. Police Department, value the following in our members and our organization:

- Honesty
- Professionalism
- Integrity
- Compassion
- Cultural Diversity

## **Oath of Office**

Each member and volunteer of the Taft I.S.D. Police Department shall subscribe to and abide by the Oath of Office:

*I, \_\_\_\_\_, do solemnly swear or affirm, that I will faithfully execute the duties of the office of Peace Officer of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.*

Upon swearing to the Oath of Office, a signed copy is placed in the employee's personnel file.

## **Equal Opportunity**

The Taft I.S.D. does not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, national origin, disability, military status, or on any other basis prohibited by law. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

*Policy DAA*

**Taft Independent School District Police Department**  
**Policy Prohibiting Racial Profiling by Law Enforcement Officers**  
*(Effective January 1<sup>st</sup>, 2002)*

**I. PURPOSE**

The purpose of this policy is to reaffirm the Taft I.S.D. Police Department's commitment to unbiased policing and to set forth procedures that serve to maintain public confidence by providing service and enforcing laws in a fair and equitable manner.

The policy will also serve as a means to detect and correct instances of racial profiling and to ensure compliance with state law. The policy will also help officers keep in mind the "probable cause" and "reasonable suspicion" criteria for their stops and searches. Officers routinely perform traffic and pedestrian stops, however, for the motorist and pedestrian who are stopped, it is frequently an emotionally upsetting experience. Officers should be aware of these conditions and should strive to make each contact educational and leave the person with an understanding that the officer has performed a necessary task in a fair, professional and friendly manner. In the interest of public education, the Taft I.S.D. Police Department will post this policy in a public area of the police department building.

**II. POLICY**

It is the policy of the Taft I.S.D. Police Department that all police-initiated law enforcement actions, including investigative detentions, traffic stops, arrests, searches and seizures of persons or vehicles, will be based on a standard of reasonable suspicion, probable cause or consent, and not upon unlawful discriminatory grounds. Discrimination on the basis of race, ethnicity or national origin is prohibited by the policy of this Independent School District and this Department. ***Racial profiling is strictly prohibited by any officer or employee of this department.***

Officers may take into account the reported race, ethnicity or national origin of a specific suspect or suspects in the same way they would use other specific identifying information such as age, height, weight, etc.

**III. DEFINITIONS**

**"Racial Profiling"** is the initiation of a law enforcement action, (such as a traffic stop, a detention, a search, issuance of a citation, or an arrest), which is based upon an individual's race, ethnicity, or national origin, rather than upon one of the following: A search or arrest warrant; An individual's suspicious or illegal behavior or actions; Information identifying an individual as having possibly engaged in criminal activity; or, some other lawful reason for the law enforcement action.

**"Race or ethnicity"** means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

**“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.

**“Traffic Stop”** – A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.

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 are racial profiling. 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.

A law enforcement agency can derive at two principals 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.

#### **IV. TRAINING**

Officers are responsible to adhere to all Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.

## **V. COMPLAINTS**

Any individual who believes that he or she has been the subject of racial profiling, committed by an officer of the Taft I.S.D. Police Department, is encouraged to file a complaint with the Chief of Police or his designee. All complaints of this nature will be fully investigated in a timely manner. Any officer, who is found, after an investigation, to have engaged in racial profiling, will have an appropriate corrective action taken against them. This corrective action may include counseling, additional training, or at the discretion of the Chief of Police, disciplinary action such as written record of reprimand, suspension, or termination.

Any employee who receives an allegation of racial 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). Any employee contacted shall provide to that person a copy of a complaint form or the department process for filing a complaint. All employees will report any allegation of racial profiling to their supervisor before the end of their shift.

## **VI. PUBLIC EDUCATION**

This department will inform the public of its policy against racial profiling and the complaint process. 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. Additionally, information will be made available as appropriate in languages other than English.

## **VII. CITATION DATA COLLECTION AND REPORTING**

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 violator's race or ethnicity;
2. whether a search was conducted;
3. was the search consensual; and
4. arrest for this cited violation or any other violation.

By March 1<sup>st</sup> of each year this department shall submit a report to our governing body containing the following information from the preceding calendar year. The report will include:

1. a breakdown 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.

## **VIII. COLLECTION AND REPORTING INFORMATION GATHERED FROM TRAFFIC AND PEDESTRIAN STOPS.**

Any officer who initiates a stop of a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian or bicyclist for any suspected offense shall complete a field contact form. This procedure is intended to collect data on police-initiated vehicle and pedestrian stops resulting in detentions, which are based upon “probable cause” or “reasonable suspicion”. It is not intended for use in consensual or casual contacts, nor does it apply to contacts that result from a third party request. This procedure applies to any of the types of contact which are described above whether the officer is on-duty, off-duty, or during secondary employment such as security work.

Contacts resulting from dispatch directed calls or citizen directed calls would generally not require a field contact form. For example: An officer is on a dispatched call about an individual and some specific information is provided about a suspect and the officer makes a stop. Another example is a complainant or victim pointing out a suspect prior to the contact.

The form must be completed as soon as possible during or after the contact but shall be completed and turned in to the officer’s supervisor no later than the end of the duty shift upon which the contact took place.

Field contact data collection forms shall consist of the following, which shall be observed and recorded by the detaining officers for each person detained as a result of the stop:

1. A physical description of each person detained as a result of the stop, including;
  - a) The person’s gender;
  - b) The person’s race or ethnicity, as stated by the person or as determined by the following officer to the best of his/her ability.
2. The street address or approximate location of the stop.
3. The suspected offense or the traffic law or ordinance alleged to have been violated.
4. Whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search.
5. Whether probable cause to search existed and, if so, the fact(s) supporting the existence of that probable cause.
6. Whether any contraband was discovered in the course of the search and, if so, the type of contraband discovered.
7. Whether the officer made an arrest as a result of the stop and/or search, and if so, a statement of the offense charged.
8. Whether the officer issued a warning or a citation as a result of the stop and, if so, a statement of the offense charged.

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 governing body containing the information compiled from the preceding calendar year in a manner approved by this department. 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;  
and
  - 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.

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.

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## **Informing the Public on the Process of Filing a Complaint with the Taft I.S.D. Police Department**

### ***(I) Educational Campaign:***

*In accordance to Senate Bill 1074, the Taft I.S.D. Police Department has provided public education relating to the agency's complaint process. Special emphasis has been placed on informing community members on filing a complaint relevant to racial profiling practices.*

*The Taft I.S.D. Police Department has posted on its website its policy on Racial Profiling and its Complaint Process. In addition, educational pamphlets of the Complaint Process are available at both of the TISDPD office locations.*

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### ***(II) Filing a Complaint Based on Violations of the Texas Law on Racial Profiling***

*The following information is available to the members of the Taft I.S.D. community:*

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## **THE IMPORTANCE OF YOUR COMPLAINT**

The Taft I.S.D. Police Department recognizes that its employees are responsible for their conduct where the public is concerned. The department also acknowledges that, at certain times, conflicts between citizens and agency employees can arise. It is essential to the safety of our community that the relationship between police and citizens is built on confidence and trust. Law enforcement can not be effective without this vital conviction by both entities.

Police Officers must be free to exercise their best judgment and initiate proper action in a reasonable, lawful, impartial manner, without fear of reprisal. At the same time, they must observe the rights of all people. The complaint process and appropriate disciplinary procedures not only subject agency members to corrective action when they conduct themselves improperly, the guidelines also protect them from unwarranted criticism when they discharge their duties properly.

A disagreement over the validity of a traffic citation is not a complaint. Such disagreements should be directed to the court that has jurisdiction in the matter.

The Police Department realizes that confusion, different perceptions, or the timeliness of information sometimes will result in descriptions that produce different versions of the same incident. Beyond legitimate error, however, the deliberate making of a report that the complainant knows to be false or misleading could constitute a violation of State Law.

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## **COMPLAINT PROCEDURES**

The complaint process is designed to deal with each case factually and fairly. Citizens who file complaints are treated respectfully, and their accusations are taken seriously. All complaints are investigated thoroughly, and all findings are based on impartial evidence gained during the investigation.

However, many complaints can be explained satisfactorily by a visit or telephone call to the employee's supervisor or Chief of Police. The supervisor will talk with you about your complaint and try to resolve it.

The Chief of Police is usually available Monday through Friday, 8 a.m. - 5 p.m. to discuss your complaint about any member of the department.

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## **UNDERSTANDING THE PROCESS**

Once an individual has filed a complaint regarding racial profiling, he/she should expect the following process to commence:

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### ***THE INTERVIEW***

A police officer (in a supervisory position) will interview the individual filing the complaint. The officer will ask the alleged victim questions about what happened. It is possible that the officer may be able to explain the officer(s)' actions to the complainant's satisfaction.

- Usually, the alleged victim will be interviewed at the Police Department's main building. It is possible that he/she may be videotaped during the interview.
- The police officer will ask the individual filing a complaint for the names of witnesses and other police officers that may know facts about the complaint.
- Photographs may be taken of any injuries that the alleged victim claims are related to the complaint.

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## ***THE INVESTIGATION***

After the interview, the Taft I.S.D. Police Department will investigate the alleged misconduct. The investigating officer will talk to witnesses and visit the site of the incident.

- All officers will be interviewed and witnesses whom the alleged victim has named will be contacted and interviewed, if they agree.
  - The alleged victim will receive a letter regarding the progress of the investigation. Although it is impossible to estimate how long the investigation will take, the alleged victim will receive periodic reports on its status.
  - A report will then be prepared.
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## ***THE REVIEW PROCESS***

The Police Chief reviews every complaint after the investigation is completed and a report is written.

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## ***THE FINDINGS***

The results of the complaint are called "findings". There are four possible findings:

- **Sustained** - The complaint has been supported: The officer(s) involved acted improperly and may be disciplined.
- **Unfounded** - The investigation found no basis to the complaint filed.
- **Exonerated** - The police officer(s) involved acted properly and will not be disciplined; or
- **Not provable** - There was not enough evidence to prove the complaint true or false so no further action will be taken.

The Police Chief will decide on a finding after the complaint has been reviewed. Further, he/she will inform the alleged victim through an official letter of the final decision.

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### ***(III) A COMMITMENT TO RESPOND TO THE NEEDS OF THE COMMUNITY***

The Taft I.S.D. Police Department has made a commitment to its citizens regarding the following:

1. 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. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
2. Any employee who receives an allegation of racial 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). Any employee contacted shall provide to that person a copy of a complaint form or the department process for filing a complaint. All employees will report any allegation of racial profiling to their superior before the end of their shift.
3. 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.
4. 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.
5. 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.

**TAFT I.S.D. POLICE DEPARTMENT  
PERSONNEL COMPLAINT  
AFFIDAVIT (Adult)**

**PENAL CODE**

**Sec. 37.02 Perjury.** (a) A person commits an offense, if with intent to deceive and with knowledge of the statement's meaning:

(1) he makes a false statement under oath or swears to the truth of a false statement previously made and the statement is required or authorized by law to be made under oath; or

(2) he makes a false sworn declaration under Chapter 132, Civil Practice and Remedies Code.

(b) An offense under this section is a Class A misdemeanor.

**Sec. 37.03. Aggravated Perjury.** (a) A person commits an offense if he commits perjury as defined in Section 37.02. and the false statement:

(1) is made during or in connection with an official proceeding; and

(2) is material.

(b) An offense under this section is a felony of the third degree.

**TEXAS GOVERNMENT CODE**

**Complaint Against Law Enforcement Officer or Firefighter**

**Sec. 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.

**Sec. 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.

Acts 1993, 73<sup>rd</sup> Leg., ch/263. Sec.1, eff. 9-1-93

**TAFT I.S.D. POLICE DEPARTMENT  
PERSONNEL COMPLAINT  
AFFIDAVIT (Adult)**

**STATE OF** \_\_\_\_\_

**COUNTY OF** \_\_\_\_\_

**Before me, the undersigned authority in and for the State of \_\_\_\_\_, on this day personally appeared \_\_\_\_\_, who, after being by me duly sworn, deposed and said:**

My name is \_\_\_\_\_. I am of sound mind, 18 years of age or older, and competent to give this affidavit.

Affidavit of \_\_\_\_\_  
Page \_\_\_\_ of \_\_\_\_

Affidavit of \_\_\_\_\_  
Page \_\_\_\_ of \_\_\_\_

I have read the above statement consisting of \_\_ page(s), which is based on my personal knowledge, and it is true and correct.

\_\_\_\_\_  
**Signature of Complainant**

**Subscribed and sworn to before me, the undersigned authority, on this the \_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_.**

\_\_\_\_\_  
**Notary Public**

**TAFT I.S.D. POLICE DEPARTMENT  
PERSONNEL COMPLAINT  
AFFIDAVIT (Under 18)**

**PENAL CODE**

**Sec. 37.02 Perjury.** (a) A person commits an offense, if with intent to deceive and with knowledge of the statement's meaning:

(1) he makes a false statement under oath or swears to the truth of a false statement previously made and the statement is required or authorized by law to be made under oath; or

(3) he makes a false sworn declaration under Chapter 132, Civil Practice and Remedies Code.

(b) An offense under this section is a Class A misdemeanor.

**Sec. 37.03. Aggravated Perjury.** (a) A person commits an offense if he commits perjury as defined in Section 37.02. and the false statement:

(1) is made during or in connection with an official proceeding; and

(2) is material.

(b) An offense under this section is a felony of the third degree.

**TEXAS GOVERNMENT CODE**

**Complaint Against Law Enforcement Officer or Firefighter**

**Sec. 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.

**Sec. 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.

Acts 1993, 73<sup>rd</sup> Leg., ch/263. Sec.1, eff. 9-1-93

**TAFT I.S.D. POLICE DEPARTMENT  
PERSONNEL COMPLAINT  
AFFIDAVIT (Under 18)**

**STATE OF** \_\_\_\_\_

**COUNTY OF** \_\_\_\_\_

**Before me, the undersigned authority in and for the State of \_\_\_\_\_, on this day personally appeared \_\_\_\_\_, who, after being by me duly sworn, deposed and said:**

My name is \_\_\_\_\_. I am of sound mind, \_\_\_\_\_ years of age or older, and competent to give this affidavit.

Affidavit of \_\_\_\_\_  
Page \_\_\_\_\_ of \_\_\_\_\_

Affidavit of \_\_\_\_\_  
Page \_\_\_\_\_ of \_\_\_\_\_

I have read the above statement consisting of \_\_\_ page(s), which is based on my personal knowledge, and it is true and correct.

\_\_\_\_\_  
**Signature of Complainant**

**Subscribed and sworn to before me, the undersigned authority, on this the \_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_.**

\_\_\_\_\_  
**Notary Public**

# REPORT ON COMPLAINTS

## Corrective Action

It is the policy of the Taft I.S.D. Police Department that any officer, who is found, after an investigation, to have engaged in racial profiling, will have an appropriate corrective action taken against them. This corrective action may include counseling, additional training, or at the discretion of the Chief of Police, disciplinary action such as written record of reprimand, suspension, or termination.

## Data on Corrective Action

The following table contains data regarding officers that have been the subject of a complaint, during the time period of 1/1/14---12/31/14, based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included.



Check above if the Taft I.S.D. police department has not received any complaints, on any members of its police force, for having violated the Texas Racial Profiling Law during the time period of 1/1/14 ---- 12/31/14.

Complaints Filed for Possible Violations of S.R. 1074 (The Texas Racial Profiling Law)

Complaint No.	Alleged Violation	Disposition of the Case

### **Additional Comments:**

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## **LAW ENFORCEMENT PERSONNEL TRAINING**

In compliance with the Texas Racial Profiling Law, the Taft I.S.D. Police Department has asked that all its officers adhere to all Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.

All officers from the Taft I.S.D. Police Department have been asked to complete a TCLEOSE 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. A person who on September 1, 2001, held a TCLEOSE intermediate proficiency certificate, or who had held a peace officer license issued by TCLEOSE for at least two years, will complete a TCLEOSE training and education program on racial profiling not later than September 1, 2003.

The chief of police, as part of the initial training and continued education for such appointment, attended the LEMIT program on racial profiling. This fulfills the training requirement as specified in the Education Code (96.641) and in the Texas Racial Profiling Law.

**Taft I.S.D. Police Department**  
**POLICE CONTACT DATA 2014**

A brief explanation of each following data table is provided. The tables list Caucasian, African, Hispanic, Native American and Other. These designations are made only to track the required data and are not intended to disparage any person's race, ethnicity, national origin or patriotism.

COMPARATIVE ANALYSIS, TABLE 1. COMPARISON OF SELF-INITIATED STOPS AND DPS RESIDENT DATA, has a comparison by race between the total numbers of police contacts, with DPS area code resident data. Hispanics are combined with the Caucasians because DPS does not collect information related to the ethnicity of drivers. In fact, according to their own language, DPS considers Hispanics, in their data collection process, as Caucasians.

COMPARATIVE ANALYSIS, TABLE 2. COMPARISON OF CONTACTS BY GENDER AND DPS DATA has a comparison by race and gender between the numbers of police contacts and DPS Data. This table has essentially the same information as the preceding table except that the information is refined by providing a breakdown by gender.

TIER 1 DATA, GENERAL DEMOGRAPHICS OF CONTACTS AND SEARCHES lists the numbers of contacts, searches and custody arrests. This table lists the Hispanic numbers separate from the Caucasian numbers. There were no reported searches in this table.

TIER 2 DATA, TABLE 1 GENDER AND LAW VIOLATION TYPE shows a comparison of contacts for each race/ethnicity and by gender. It further shows a comparison of the type of violation that resulted in the stop, the violation being either Hazardous or Non-hazardous. Hazardous violations being moving violations (Speeding for example) and Non-Hazardous violations being non-moving violations (Defective Equipment or Not Wearing a Seatbelt for example).

TABLE 2. INFORMATION ON SEARCHES lists the number of searches by race/ethnicity and separates those searches which are consensual and those for which there was probable cause. Consensual searches are those for which consent was asked and given. The probable cause searches include a number of categories for which a lawful search was conducted. There were no searches reported.

TABLE 3. FACTS SUPPORTING PROBABLE CAUSE provides a breakdown of searches by race/ethnicity and types of probable cause search.

TABLE 4. CONTRABAND AND DISPOSTION OF STOP provides the numbers of contraband found as a result of each stop, by race. The other part of this table is not related to the contraband portion of the table. The other columns show a comparison of disposition of stops by race and ethnicity. The category labeled "Warning" represents written warnings and "Release" represents verbal warnings. The numbers found in these columns are the dispositions for the entire number of contacts for the year.

TABLE 5. TYPE OF CONTRABAND COLLECTED provides a comparison of contraband by category.

TABLE 6. LOCATION OF STOPS provides a comparison of stops by area. The column labeled "Northeast" represents the area of Taft north of Highway 181 and east of Green Avenue. "Northwest" represents the area north of Highway 181 and west of Green Avenue. The "Central" zone is Highway 181. The area designated "Southeast" indicates the area of Taft south of Highway 181 and east of Avenue C. The last column, "Southwest", is the area south of Highway 181 and west of Avenue C.

TABLE 7. STATEMENT OF CHARGE has a comparison for arrests and traffic citations by race and ethnicity. The arrest categories are separated by felony and misdemeanor arrests which occurred during a police initiated stop. The traffic category in this table is the recorded number of citations counted from police initiated stops. Examples of citations not recorded would be stops occurring as part of an investigation, all ordinance violation citations, and citations which were a result of accident investigations.

**Taft I.S.D. Police Department  
POLICE CONTACT DATA 2014**

**Comparative Analysis**

(The following information pertains to both "traffic" and "pedestrian" stops

**Table 1. Comparison of Self-Initiated Stops of Residents and DPS Resident Data**

Race/Ethnicity*	Resident Contacts		DPS Data		% Variance
	Number	%	Number	%	
Caucasion	0	#DIV/0!	4365	98.3%	0.0%
African	0	#DIV/0!	63	1.4%	0.0%
Asian	0	#DIV/0!	6	0.1%	0.0%
Native American	0	#DIV/0!	0	0.0%	#DIV/0!
Other	0	#DIV/0!	8	0.2%	0.0%
<b>Total</b>	<b>0</b>	<b>#DIV/0!</b>	<b>4442</b>	<b>100.0%</b>	

\* Race/Ethnicity are defined by Senate Bill 1074 as being of a "particular descent, including Caucasion, African, Hispanic, Asian, or Native American".

\*\* In this table, Hispanics have been added to the Caucasion population. This has been done in order to correspond with DPS data collection methods. According to DPS, Hispanics are combined, in their data reports, with Caucasion population.

**Taft I.S.D. Police Department  
POLICE CONTACT DATA 2014**

**Comparative Analysis by Gender**

(The following information pertains to both "traffic" and "pedestrian" stops)

**Table 1. Comparison of Residents (by Gender) and DPS Data**

Race/Ethnicity*	Resident Contact (Gender)				DPS Data (Gender)				Variance	
	Males	%	Females	%	Males	%	Females	%	% Males	% Females
Caucasion**	0	#DIV/0!	0	#DIV/0!	2384	98.1%	1981	98.4%	0.0%	0.0%
African	0	#DIV/0!	0	#DIV/0!	37	1.5%	26	1.3%	0.0%	0.0%
Asian	0	#DIV/0!	0	#DIV/0!	3	0.1%	3	0.1%	0.0%	0.0%
Native American	0	#DIV/0!	0	#DIV/0!	0	0.0%	0	0.0%	0.0%	#DIV/0!
Other	0	#DIV/0!	0	#DIV/0!	5	0.2%	3	0.1%	0.0%	0.0%
<b>Total</b>	<b>0</b>	<b>#DIV/0!</b>	<b>0</b>	<b>#DIV/0!</b>	<b>2429</b>	<b>100.0%</b>	<b>2013</b>	<b>100.0%</b>		

\* Race/Ethnicity are defined by Senate Bill 1074 as being of a "particular descent, including Caucasion, African, Hispanic, Asian, or Native American".

\*\* In this table, Hispanics have been added to the Caucasion population. This has been done in order to correspond with DPS data collection methods. According to DPS, Hispanics are combined, in their data reports, with Caucasion population of drivers.

**Tier 1 Data**

**Table 1. General Demographics of Contacts and Searches.**

Race/Ethnicity*	Contacts		Searches		Consensual Searches		PC for Search		Custody Arrest	
	Number	%	Number	%	Number	%	Number	%	Number	%
Caucasion**	0	#DIV/0!	0	0.0%	0	0.0%	0	0.0%	0	0.0%
African	0	#DIV/0!	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Hispanic	0	#DIV/0!	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Asian	0	#DIV/0!	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Native American	0	#DIV/0!	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Other	0	#DIV/0!	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Total</b>	<b>0</b>	<b>#DIV/0!</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>

\* Race/Ethnicity are defined by Senate Bill 1074 as being of a "particular descent, including Caucasion, African, Hispanic, Asian, or Native American".

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**Tier 2 Data**

**(The following information pertains to both "traffic" and "pedestrian" stops)**

*NOTE: The collection of Tier 2 data is not required until January 2003. An agency may be exempt from this requirement if they have video cameras or if they requested funds from the State for video cameras, and did not receive them.*

**Table 1. Gender and Law Violation Type**

	Contacts		Gender				Law Violation			
			Males		Females		Hazardous		NonHazardous	
Race/Ethnicity*	Number	%	Number	%	Number	%	Number	%	Number	%
Caucasion**	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
African	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
Hispanic	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
Asian	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
Native American	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
Other	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
<b>Total</b>	<b>0</b>	<b>#DIV/0!</b>	<b>0</b>	<b>#DIV/0!</b>	<b>0</b>	<b>#DIV/0!</b>	<b>0</b>	<b>#DIV/0!</b>	<b>0</b>	<b>#DIV/0!</b>

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**Table 2. Information on Searches**

Race/Ethnicity*	Searches		Consensual		PC for Search	
	Number	%	Number	%	Number	%
Caucasion**	0	0.0%	0	0.0%	0	0.0%
African	0	0.0%	0	0.0%	0	0.0%
Hispanic	0	0.0%	0	0.0%	0	0.0%
Asian	0	0.0%	0	0.0%	0	0.0%
Native American	0	0.0%	0	0.0%	0	0.0%
Other	0	0.0%	0	0.0%	0	0.0%
<b>Total</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>

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**Table 3. Facts Supporting Probable Cause**

Race/Ethnicity*	Plain View		Odor		Incident to Arrest		Inventory		Other	
	Number	%	Number	%	Number	%	Number	%	Number	%
Caucasion**	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
African	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Hispanic	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Asian	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Native American	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Total</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>

\* Race/Ethnicity are defined by Senate Bill 1074 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, or Native American".

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**Table 4. Contraband and Disposition of Stop**

Race/Ethnicity*	Contraband		Disposition of Stop							
	Number	%	Arrest		Ticket		Warning		Release	
			Number	%	Number	%	Number	%	Number	%
Caucasion**	0	0.0%	0	#DIV/0!	0	0.0%	0	#DIV/0!	0	#DIV/0!
African	0	0.0%	0	#DIV/0!	0	0.0%	0	#DIV/0!	0	#DIV/0!
Hispanic	0	0.0%	0	#DIV/0!	2	100.0%	0	#DIV/0!	0	#DIV/0!
Asian	0	0.0%	0	#DIV/0!	0	0.0%	0	#DIV/0!	0	#DIV/0!
Native American	0	0.0%	0	#DIV/0!	0	0.0%	0	#DIV/0!	0	#DIV/0!
Other	0	0.0%	0	#DIV/0!	0	0.0%	0	#DIV/0!	0	#DIV/0!
<b>Total</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>#DIV/0!</b>	<b>2</b>	<b>100.0%</b>	<b>0</b>	<b>#DIV/0!</b>	<b>0</b>	<b>#DIV/0!</b>

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**Table 5. Type of Contraband Collected**

Race/Ethnicity*	Drugs		Alcohol		Weapons		Stolen Property		Other	
	Number	%	Number	%	Number	%	Number	%	Number	%
Caucasion**	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
African	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Hispanic	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Asian	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Native American	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Total</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>

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**Table 6. Location of Stops**

Race/Ethnicity*	Northeast		Northwest		Central		Southeast		Southwest	
	Number	%	Number	%	Number	%	Number	%	Number	%
Caucasion**	0	#DIV/0!	0	0.0%	0	0.0%	0	#DIV/0!	0	0.0%
African	0	#DIV/0!	0	0.0%	0	0.0%	0	#DIV/0!	0	0.0%
Hispanic	0	#DIV/0!	0	0.0%	0	0.0%	0	#DIV/0!	0	0.0%
Asian	0	#DIV/0!	0	0.0%	0	0.0%	0	#DIV/0!	0	0.0%
Native American	0	#DIV/0!	0	0.0%	0	0.0%	0	#DIV/0!	0	0.0%
Other	0	#DIV/0!	0	0.0%	0	0.0%	0	#DIV/0!	0	0.0%
<b>Total</b>	<b>0</b>	<b>#DIV/0!</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>#DIV/0!</b>	<b>0</b>	<b>0.0%</b>

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**Table 7. Statement of Charge**

Race/Ethnicity*	Statement of Charge					
	Felony		Midemeanor		Traffic	
	Number	%	Number	%	Number	%
Caucasion**	0	0.0%	0	0.0%	0	#DIV/0!
African	0	0.0%	0	0.0%	0	#DIV/0!
Hispanic	0	0.0%	0	0.0%	0	#DIV/0!
Asian	0	0.0%	0	0.0%	0	#DIV/0!
Native American	0	0.0%	0	0.0%	0	#DIV/0!
Other	0	0.0%	0	0.0%	0	#DIV/0!
<b>Total</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>#DIV/0!</b>

\* Race/Ethnicity are defined by Senate Bill 1074 as being of a "particular descent, including Caucasion, African, Hispanic, Asian, or Native American".

## Analysis

The data presented in this report contains valuable information regarding police contacts with the public between 1/1/14 and 12/31/14. Despite its value, the raw data does not present much information relevant to racial profiling trends.

Thus, it is felt that further analysis of the data is warranted. As such, data was obtained through the Texas Department of Public Safety (DPS), via a public information request. The data obtained from DPS included the race and gender of drivers in the Taft Area by Zip code during the 2002 calendar year. The decision to obtain DPS data was made since, according to experts, census data presents challenges to any effort made at establishing a fair and accurate analysis. That is, census data contains information of all residents of a particular community, regardless of the fact they may or may not be among the driving population. Further, census data, when used as a benchmark of comparison, presents the challenge that it captures information related to city residents only. Thus, excluding individuals who may have come in contact with the Taft I.S.D. Police Department, but reside outside city limits. This has a tendency of inflating the overall figures; thus, providing an inaccurate representation of police contacts with the public. Therefore, it is felt that DPS data relevant to Taft residents, if compared only to the portion of individuals who reside in the Taft Area and have come in contact with the police during a given year, will offer a more accurate representation and provide further insights than other sources including census data.

When analyzing the data provided in these tables of police contacts with each race/ethnicity, the number for each particular race/ethnicity is under-represented. Under-represented meaning that the total number of contacts per race/ethnicity is far less than the number of residents in the Taft community.

When comparing the Taft residents who came in contact with the Taft I.S.D. Police Department during 2014 with those who, according to DPS, were residents of Taft during that time and held a valid driver's license, the data produced interesting findings. That is, the number of police contacts with White drivers, when compared to the number of White Taft residents who held a valid drivers license, demonstrated that the number of contacts with the police were under-represented. It must be noted that Hispanics were grouped with Caucasians for purposes of this analysis since DPS does not collect information related to the ethnicity of drivers. In fact, according to their own language, DPS considers Hispanics, in their data collection process, as Caucasians.

When analyzing, in the same manner, the data relevant to individuals of African descent, it is clear that the number of police contacts with Black drivers, when compared to the number of Black Taft residents who held a valid drivers license, demonstrated that the number of contacts with the police were under-represented.

When analyzing, in the same manner, the data relevant to individuals of Asian descent, it is clear that the number of police contacts with Asian drivers, when compared to the number of Asian Taft residents who held a valid drivers license, demonstrated that the number of contacts with the police were under-represented.

There were no police contacts with individuals of Native American descent or Other unnamed descents for the year for analysis.

### **Summary Statement**

The findings suggest that the Taft I.S.D. Police Department does not currently experience a problem regarding racial profiling practices. This is supported by the fact that it 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 Taft I.S.D. Police Department practices. Thus, allowing for the citizens of the Taft Independent School District community to benefit from professional and courteous service from their police department.

### **Recommendations**

Based on the findings introduced in this report, the Taft I.S.D. Police Department finds no prevalence of Racial Profiling by its officers, thus no recommendations to be made.

## Checklist

(I) The following requirements ***must*** be met by all law enforcement agencies in the State of Texas:

- Clearly defined act of actions that constitute racial profiling
- Statement indicating prohibition of any peace officer employed by the Taft ISD Police Department from engaging in racial profiling
- Implement a process by which an individual may file a complaint regarding racial profiling violations
- Provide public education related to the complaint process
- Implement disciplinary guidelines for officer found in violation of the Texas Racial Profiling Law
- Collect data (Tier 1) that includes information on
  - a) Race and ethnicity of individual detained
  - b) Whether a search was conducted
  - c) If there was a search, whether it was a consent search or a probable cause search
  - d) Whether a custody arrest took place
- Produce an annual report on police contacts (Tier 1) and present this to local governing body by March 1, 2015.
- Adopt a policy, if video/audio equipment is installed, on standards for reviewing video and audio documentation

(II) For additional questions regarding the information presented in this report, please contact:

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