Agency Name:	**ABILENE POLICE DEPT.**
Reporting Date:	**1/11/2016**
TCOLE Agency Number:	**441201**
Chief Administrator:	**STAN STANDRIDGE**
Agency Contact Information:	**(325-676-6600)** **ABILENE POLICE DEPT** **PO BOX 174** **ABILENE, TX 79602**

TIER 1 - PARTIAL EXEMPTION RACIAL PROFILING REPORT

January 11, 2016

Texas Commission on Law Enforcement:

In 2001, the Texas Legislature mandated law enforcement agencies provide their governing bodies with an annual report regarding self-initiated traffic stops. The law also required agencies collect Tier 2 data or obtain dash-cam video systems. In 2003, the Abilene Police Department purchased and completed installation of audio/video recording equipment in the vehicles of the Department that are normally used to make traffic stops. In 2010 and 2011, this equipment was upgraded to digital mobile video systems.

In compliance with Article 2.132 of the Texas Code of Criminal Procedure, the Department collected data on each officer initiated traffic stop that resulted in a citation or arrest. The data was compiled with regard to ethnicity, citations and arrests resulting from those stops, and whether or not a search of the person or vehicle was completed.

This Agency claims partial racial profiling report exemption because vehicles that conduct motor vehicle stops are equipped with video and audio equipment, and the Department maintains videos for 90 days or longer.

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

Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling
ABILENE POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy: (1) Clearly defines acts constituting racial profiling;
(2) Strictly prohibits peace officers employed by the ABILENE POLICE DEPT. from engaging in racial profiling;
(3) Implements a process by which an individual may file a complaint with the ABILENE POLICE DEPT. if the individual believes that a peace officer employed by the ABILENE POLICE DEPT. has engaged in racial profiling with respect to the individual;
(4) Provides public education relating to the agency's complaint process;
(5) Requires appropriate corrective action to be taken against a peace officer employed by the ABILENE POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the ABILENE POLICE DEPT.'s policy adopted under this article;

(6) Requires 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) Requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
(A) The Commission on Law Enforcement Officer Standards and Education; and
(B) The governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

I certify these policies are in effect.

Executed by: ***Stan Standridge***
Chief Administrator
ABILENE POLICE DEPT
Date: 01/11/2016

Motor Vehicle Racial Profiling Information

Number of motor vehicle stops:
1. **8116** citation only
2. **961** arrest only
3. **89** both arrest and citation
4. **22652** total

Race or ethnicity:
5. **2865** African American
6. **244** Asian
7. **14343** Caucasian
8. **5036** Hispanic
9. **102** Middle Eastern
10. **62** Native American
11. **22652** Total

Race or ethnicity known prior to stop?
12. **2118** Yes
13. **20534** No
14. **22652** Total

Search conducted?
15. **1771** Yes
16. **20881** No
17. **22652** Total

Was search consensual?
18. **260** Yes
19. **1511** No
20. **1771** Total

Abilene Police Department Operating Procedure:

Abilene Police Department Operating Procedures Subject: *Racial Profiling* Issued: 10/19/2011 TBP: 2.01 Number: **D-24** 1

Policy and Purpose (TBP 2.01)

This Racial Profiling Policy is adopted in compliance with the requirements of Articles 2.131 through 2.136, Texas Code of Criminal Procedure, which prohibits Texas peace officers from engaging in racial profiling.

Racial Profiling Definitions

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. 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, persons needing assistance or other citizen contacts.

Bias Based Profiling – the selection of individuals based solely on a common trait of a group. This includes but it not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable group trait.

Race or ethnicity – a particular descent, including Caucasian, African, Hispanic, Asian or Native American descent.

Acts constituting racial profiling – acts initiating law enforcement action, such as a traffic stop, a detention, a search, issuance of a citation or an arrest based solely upon an individual's race, ethnicity or national origin or on the basis of racial or ethnic stereotypes, rather than upon the individual's behavior, information identifying the individual as having possibly engaged in criminal activity or other lawful reasons for the law enforcement action.

Pedestrian stop – an interaction between a peace officer and an individual who is being detained for the purposes of a criminal investigation in which the individual is not under arrest.

Traffic stop – the stopping of a motor vehicle by a peace officer for an alleged violation of law or ordinance regulating traffic.

Prohibition

Sworn peace officers and non-sworn personnel are strictly prohibited from engaging in bias based profiling or racial profiling in traffic contacts, field contacts, asset seizure and forfeiture, arrests or any other law enforcement effort.

Complaint Process

Any person who believes a peace officer employed by the Department has engaged in racial profiling or bias based profiling, with respect to that person, may file a complaint with the Department and no person shall be discouraged, intimidated or coerced from filing such a complaint or be discriminated against because they have filed such a complaint. Abilene Police Department Operating Procedures Subject: *Racial Profiling* Issued: 10/19/2011 TBP: 2.01 Number: **D-24** 2

The Department shall accept and investigate citizen complaints alleging racial profiling or bias based profiling by its peace officers. Such complaints shall be in writing, or the City of Abilene (City) employee, officer or official receiving the complaint should reduce the same to writing, and should include the time, place and

details of the incident of alleged racial profiling, the identity or description of the peace officer or officers involved and the identity and manner of contacting the complaint.

Any peace officer, city employee or city official who receives a citizen complaint alleging racial profiling or bias based profiling, shall forward the complaint to the Internal Affairs Unit (IA) as soon as possible after receipt of the complaint. Receipt of each complaint shall be acknowledged to the complainant in writing. All such complaints shall be reviewed and investigated by the appropriate person or unit within a reasonable period of time and the results of the review and investigation shall be filed with the Chief of Police and with the complainant.

In the event a complaint of racial profiling or bias based profiling filed by an individual involves an occurrence recorded on audio or video, the appropriate person or unit shall, upon commencement of the investigation of the complaint and upon written request of the officer, promptly provide a copy of the recording to the peace officer who is the subject of the investigation.

Public Education

The Department shall provide education to the public concerning the racial profiling complaint process. A summary of the public education efforts made during the preceding year shall be included with the annual report filed with the governing body of the City of Abilene.

Corrective Action

Any peace officer who is found, after investigation, to have engaged in racial profiling or bias based profiling in violation of this policy shall be subject to corrective action, which may include reprimand, appropriate training or counseling, suspension, termination of employment or other appropriate action as determined by the Chief of Police.

Information Collection and Annual Report

For each traffic stop in which a citation is issued and for each arrest resulting from such traffic stops, a peace officer involved in the stop shall collect information identifying the race or ethnicity of the person detained, stating whether a search was conducted and, if a search was conducted, whether the person detained consented to the search. Abilene Police Department Operating Procedures Subject: *Racial Profiling* Issued: 10/19/2011 TBP: 2.01 Number: **D-24** 3

The information collected shall be compiled in the annual report covering the period of January 01 through December 31 of each year and shall be submitted to the governing body of the City of Abilene no later than March 01 of the following year. The annual report shall not include identifying information about any peace officer involved in a stop or arrest.

Review of Video and Audio Documentation

Audio and video recordings shall be retained for a minimum of ninety (90) days unless a complaint is filed alleging a peace officer of the Department has engaged in racial profiling. The recording shall be retained until final disposition of the complaint.

In conjunction with preparation of the annual report above, the Chief of Police shall periodically review randomly selected video and audio recordings made recently by peace officers employed by the Department in order to determine if patterns of racial profiling exist.

In reviewing audio and video recordings, the Chief of Police shall seek to determine if the officer who is involved therein has engaged in a pattern of racial profiling that includes multiple acts constituting racial profiling for which there is no reasonable, credible explanation based on established police and law enforcement procedures. A single act constituting racial profiling may not be considered a pattern of racial profiling and shall not be grounds for corrective action.

Peace Officer and Police Chief Training

Each peace officer employed by the Department shall complete the comprehensive education and training

program on racial profiling established by the Texas Commission on Law Enforcement Standards and Education (TCLEOSE) not later than the second anniversary of the date the officer was licensed or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

The Chief of Police shall, in completing the training required by Section 96.641, Texas Education Code, complete the program on racial profiling established by the Bill Blackwood Law Enforcement Management Institute of Texas.