

# TIER 1 - PARTIAL EXEMPTION RACIAL PROFILING REPORT

**Agency Name:** SAN MARCOS POLICE DEPT.  
**Reporting Date:** 02/19/2016  
**TCOLE Agency Number:** 209203  
**Chief Administrator:** CHARLES STAPP  
**Agency Contact Information:** Phone: 512-753-2110  
Email: [cstapp@sanmarcostx.gov](mailto:cstapp@sanmarcostx.gov)  
Mailing Address:  
SAN MARCOS POLICE DEPT.  
2300 S. IH-35 S.  
San Marcos, TX 78666

This Agency claims partial racial profiling report exemption because:

Our vehicles that conduct motor vehicle stops are equipped with video and audio equipment and we maintain videos for 90 days.

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

Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling

SAN MARCOS 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 SAN MARCOS POLICE DEPT. from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the SAN MARCOS POLICE DEPT. if the individual believes that a peace officer employed by the SAN MARCOS 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 SAN MARCOS POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the SAN MARCOS POLICE DEPT.'s policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
  - (A) the race or ethnicity of the individual detained;
  - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

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

(A) the Commission on Law Enforcement; 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: **CHARLES STAPP**

Chief Administrator

SAN MARCOS POLICE DEPT.

Date: 02/19/2016

## **SAN MARCOS POLICE DEPT. Motor Vehicle Racial Profiling Information**

### **Number of motor vehicle stops:**

1. **5207** citation only
2. **0** arrest only
3. **148** both
4. **5355 Total** (4, 11, 14 and 17 must be equal)

### **Race or Ethnicity:**

5. **521** African
6. **53** Asian
7. **2961** Caucasian
8. **1812** Hispanic
9. **5** Middle Eastern
10. **3** Native American
11. **5355 Total** (lines 4, 11, 14 and 17 must be equal)

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

12. **70** Yes
13. **5285** No
14. **5355 Total** (lines 4, 11, 14 and 17 must be equal)

### **Search conducted?**

15. **307** Yes
16. **5048** No
17. **5355 Total** (lines 4, 11, 14 and 17 must be equal)

### **Was search consented?**

18. **108** Yes
19. **199** No
20. **307 Total** (must equal line 15)