

Lufkin Police Department

ANNUAL RACIAL PROFILING REPORT YEAR 2011



SENATE BILL 1074

PREFACE

The practice of discriminatory enforcement is a long-standing issue for American law enforcement and has for decades been the topic of legislation, litigation, and professionalization of law enforcement. Regardless, recent attention given to racial profiling during the practice of routine traffic enforcement and presumptive traffic stops for drug enforcement returned the issue to the forefront of public attention.

The Texas Commission on Law Enforcement Officer Standards and Education has long recognized that this is an issue, which deserves constant and vigilant attention. Mandatory TCLEOSE basic training curriculum specially designed for police patrol officers includes instruction specifically addressing nondiscriminatory enforcement, community relations, human relations, and law enforcement ethics.

Although public concern about the use of race as one criterion to judge whether a traffic stop was conducted properly may diminish with time, concern within the law enforcement community regarding discriminatory practices will remain constant.

SCOTT MARCOTTE
Chief of Police
(936) 633-0300



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Date: February 14, 2012
To: Lufkin City Council
From: Chief Scott Marcotte
Subject: Annual Report/Racial Profiling Data: January 1, 2011—December 31, 2011

In the year 2001, the Legislature of the State of Texas enacted a statute that prohibited racial profiling by peace officers; Chapter 2 of the Code of Criminal Procedure was amended by adding Articles 2.131 through 2.138, and titled the statute, "Racial Profiling Prohibited."

The various sections of the statute mandated that Law Enforcement Agencies; meet certain requirements regarding training, adopt a detailed written policy prohibiting racial profiling, install audio/video recording devices in law enforcement vehicles regularly used to make traffic stops, collect information related to traffic stops, *and* submit to the governing body served by the agency an annual report of the information collected. In addition, time lines were established for the completion of these mandates.

The legislature has mandated additional requirements over the years specifically adding Middle Eastern descent to the "Race or Ethnicity" category. The legislature also desired statistics on whether the peace officer knew the race or ethnicity of the individual detained before detaining the individual. In addition, the legislature required the agency administrator to submit a copy of the racial profiling report to the Commission on Law Enforcement Officer Standards and Education as well as the governing body by March 1st.

To date, the Lufkin Police Department has completed all requirements of the racial profiling statute and, with the submission of this report, the Department has satisfied the requirements for 2011. During the time period of January 1, 2011

through December 31, 2011, the Lufkin Police Department did not receive any complaints on any member of its police force concerning the violation of the Texas Racial Profiling Law.

In order to provide the City Council with the most information available, the data submitted in this report **exceeds** what is mandated by law and is divided into two sections; **REQUIRED DATA** and **NON-MANDATED DATA**.

The **Required Data** will include the following charts:

- Chart 1 - Total Traffic Stops by Race
- Chart 3 - Total Arrests from Traffic Stops
- Chart 4 - Total Searches from Traffic Stops
- Chart 5 - Total Searches with Consent
- Chart 6 - Total Searches without Consent
- Chart 12 – Race or Ethnicity known prior to Stop

The **Non-mandated Data** will include the following charts:

- Chart 2 - Total Traffic Stops by Gender
- Chart 7 - Total DWI Arrests by Race
- Chart 8 - Total DWI Arrests by Ethnicity*
- Chart 9 - Total Traffic Violations Filed by Race
- Chart 10 - Total Uniform Crime Report Arrests by Race
- Chart 11- Total Uniform Crime Report Arrests by Ethnicity

* UCR reporting guidelines classifies Hispanics by Ethnicity instead of race. Therefore, Charts 7 and 8 contain the same DWI Arrest data; the same is true for Charts 10 and 11.

The data contained in Charts 1,2,3,4,5,6,9, and 12, was derived from Lufkin Municipal Court records, and the information contained in Charts 7,8,10, and 11, was derived from Lufkin Police Department records. Each chart will be explained below.

Chart 1: Lufkin Police Department Traffic Stops

- The law requires the collection of data related to traffic stops. This chart shows that, during the specified time period, **8,555** stops were made. The number reflects how many vehicles were stopped and should not be confused with Chart 9, which lists the number of violations/charges that were filed.

Chart 2: Lufkin Police Department Traffic Stops

- This chart reflects the gender of the **8,555** persons stopped during the specified time period. The law does not require this information.

Chart 3: Lufkin Police Department Arrest from Traffic Stops

- This chart reflects that **136** arrests were made from the **8,555** traffic stops conducted during the specified time period. This number was derived when two things happened, a person was issued a citation and an arrest was made. If both did not occur, the number was not counted. This information was obtained from the records of the Lufkin Municipal Court.

Chart 4: Lufkin Police Department Traffic Stop Searches

- This chart reflects that **153** searches were conducted in connection with the **8,555** traffic stops conducted during the specified time period. The law requires this information to be collected from traffic stops when two things happen, a citation is issued and a search is made. If both did not occur, the number was not counted. This information was obtained from the records of the Lufkin Municipal Court.

Chart 5: Lufkin Police Department Traffic Stop Searches with Consent

- This chart reflects that of the **153** searches conducted during the specified time period, **81** searches were by consent. This information was obtained from the records of the Lufkin Municipal Court.

Chart 6: Lufkin Police Department Traffic Stop Searches without Consent

- This chart reflects that of the **153** searches conducted during the specified time period, **72** were nonconsensual. However, this doesn't always mean that a person refused to allow officers to conduct a search. A nonconsensual search may occur when, as a matter of law, an officer is allowed to search because probable cause exists or for officer safety. There are numerous other circumstances that allow officers to conduct searches without permission and all are applicable to how the "Without Consent" designation is determined. This information was obtained from the records of the Lufkin Municipal Court.

Chart 7: Lufkin Police Department DWI Arrests by Race

- This chart reflects the number of DWI arrests by race. Since the information is classified by Federal Uniform Crime Reporting guidelines, which classifies Hispanics as an ethnic group instead of a race, Chart 8 was prepared to include the number of Hispanic DWI arrests. During the specified time period, a total of **102** DWI arrests were made, which includes both race and ethnicity groups on both charts; a number derived by combining the total number of arrests found in Chart 7 and Chart 8. This information was obtained from Lufkin Police Department records and was included for information purposes.

Chart 8: Lufkin Police Department DWI Arrests by Ethnicity

- Please refer to the above explanation of Chart 7.

Chart 9: Lufkin Police Department Traffic Violations Filed by Race

- This chart indicates that **12,404** traffic related violations were filed during the specified time period. This number indicates the number of violations filed,

not necessarily the number of citations issued. This information was obtained from Lufkin Municipal Court records.

Chart 10: Lufkin Police Department Uniform Crime Report Arrests by Race

- This chart contains arrest data for all arrests, other than traffic-related arrests, made during the specified time period. Murder, rape, robbery, assault, and burglary are examples of the types of arrests included in this chart. This information was not required by law but was included for information purposes. Please refer to the above explanation of Chart 7, which explains how race and ethnicity are classified.

Chart 11: The Lufkin Police Department Uniform Crime Report Arrests by Ethnicity

- Please refer to the above explanation of Chart 7.

Chart 12: Lufkin Police Department Traffic Stops, Race or Ethnicity Known Prior to Stop

- This chart reflects whether or not the officer knew the race or ethnicity of the individual detained before detaining that individual. This information was obtained from Lufkin Municipal Court records.

Also included for your reference:

1. The Lufkin Police Department's Racial Profiling Policy;
2. The Lufkin Police Department's Mobile Video Policy;
3. The Lufkin Police Department's Internal Investigations Policy;
4. The Lufkin Police Department's Violations and Disciplinary Actions Policy;
and
5. ACLU Racial Profiling Grading Matrix.

The information that is included in this report was compiled in compliance with the exact wording of Senate Bill 1074/Racial Profiling Law. The intent of the law,

to prohibit racial profiling, is good but the law is vague, which will cause the interpretation and reporting to be as varied as there are law enforcement agencies in the State. I hope the Legislature will address this issue in the future by providing a format that clearly identifies the data required to be captured, by creating a standard reporting form for use by all law enforcement agencies when reporting this data to their governing body, and by devising a benchmark that will allow for the proper interpretation of the data provided.

There is no requirement that the City Council use this report for any purpose other than for information.

Respectfully Submitted,



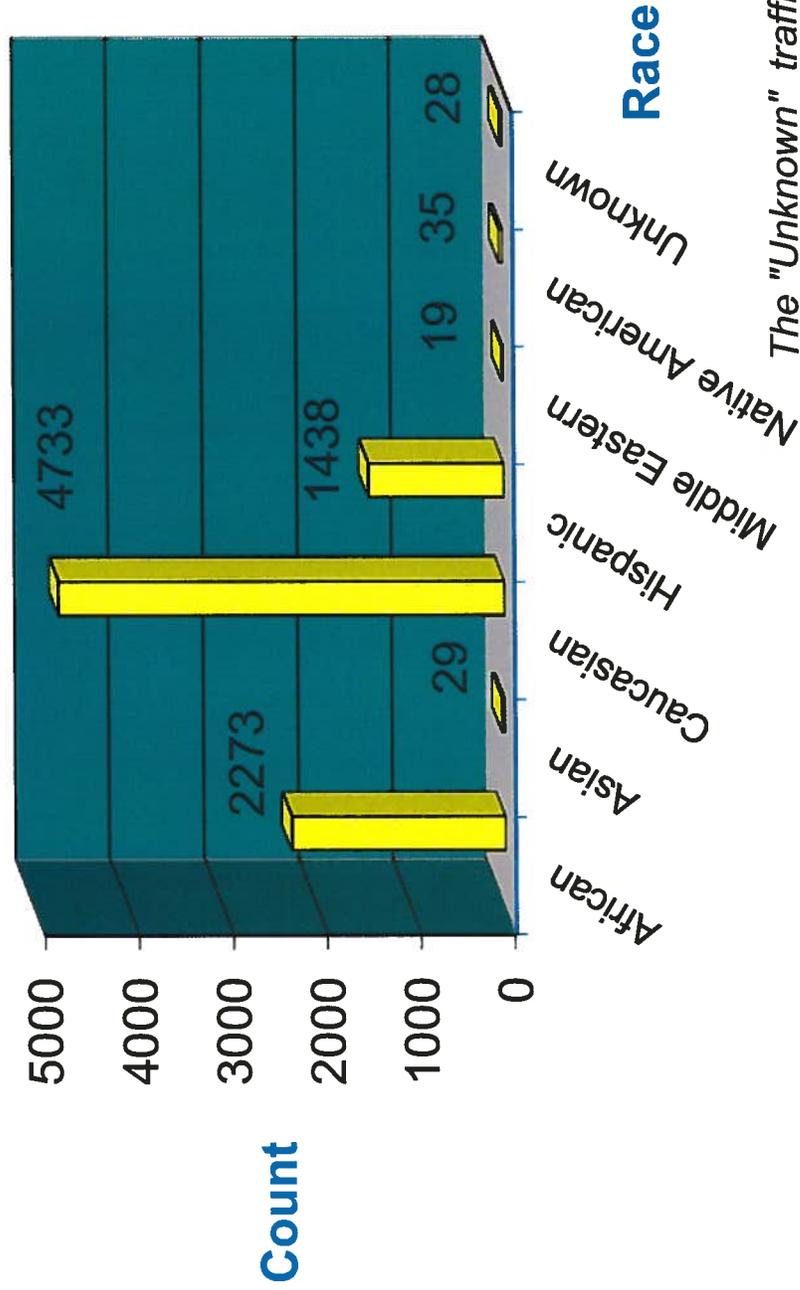
Scott Marcotte, Chief of Police

REQUIRED DATA



Chart 1 - Lufkin PD 2011 Traffic Stops : Race

Required by the Racial Profiling Law - Code of Criminal Procedure 2.132



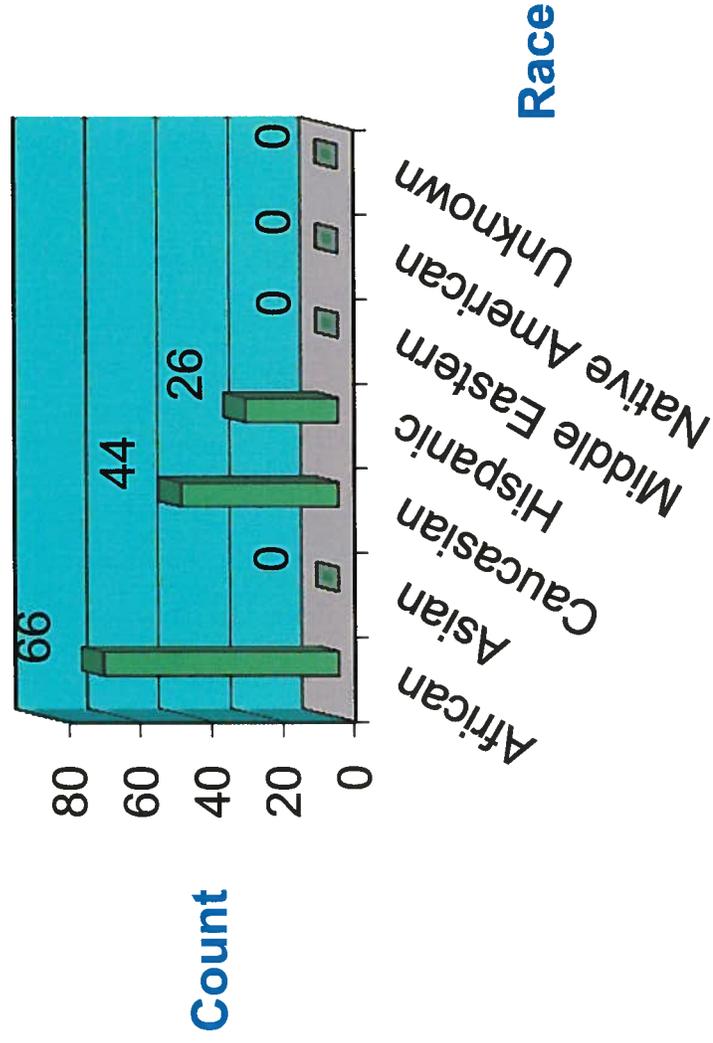
Total Traffic Stops ... 8,555

The "Unknown" traffic stops did not specify a Race.



Chart 3 - Lufkin PD 2011 Arrests From Traffic Stops

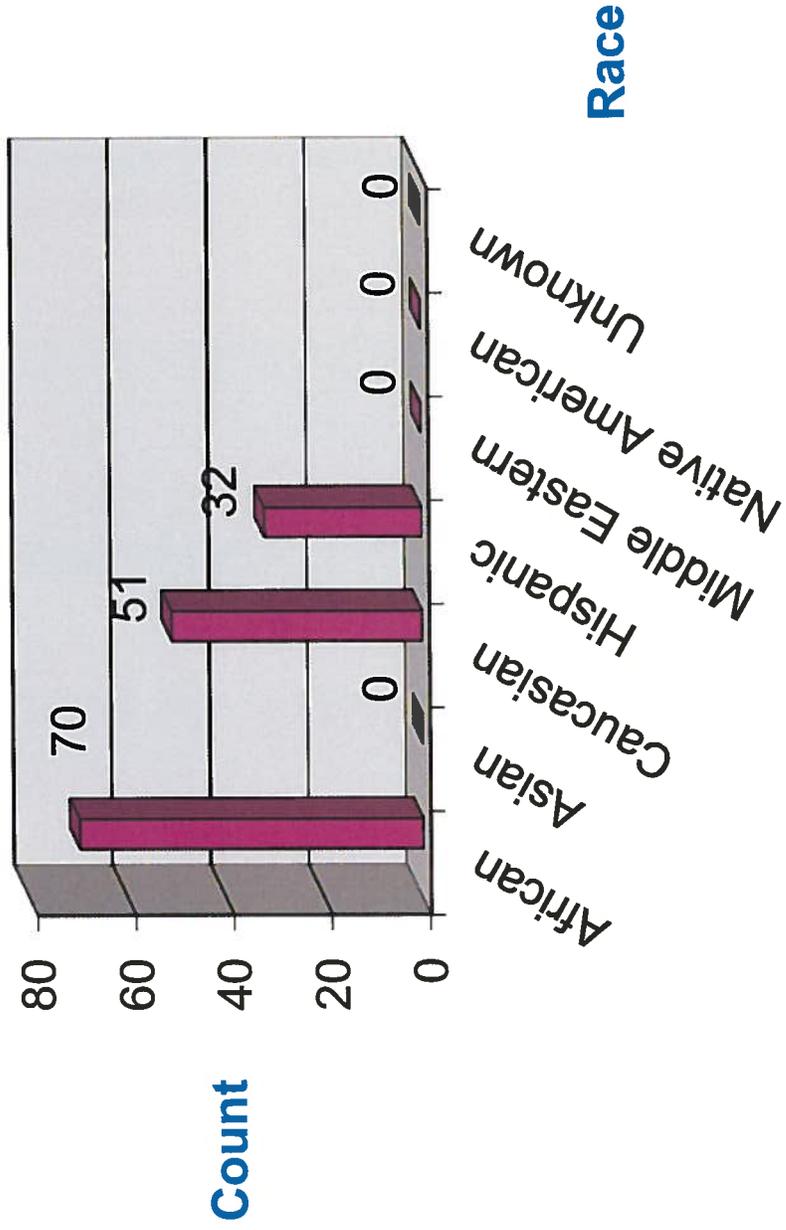
Required by Racial Profiling Law - Code of Criminal Procedure 2.132



Total Arrests From Traffic Stops ... 136

Chart 4 - Lufkin PD 2011 Traffic Stop Searches

Required by the Racial Profiling Law - Code of Criminal Procedure 2.132

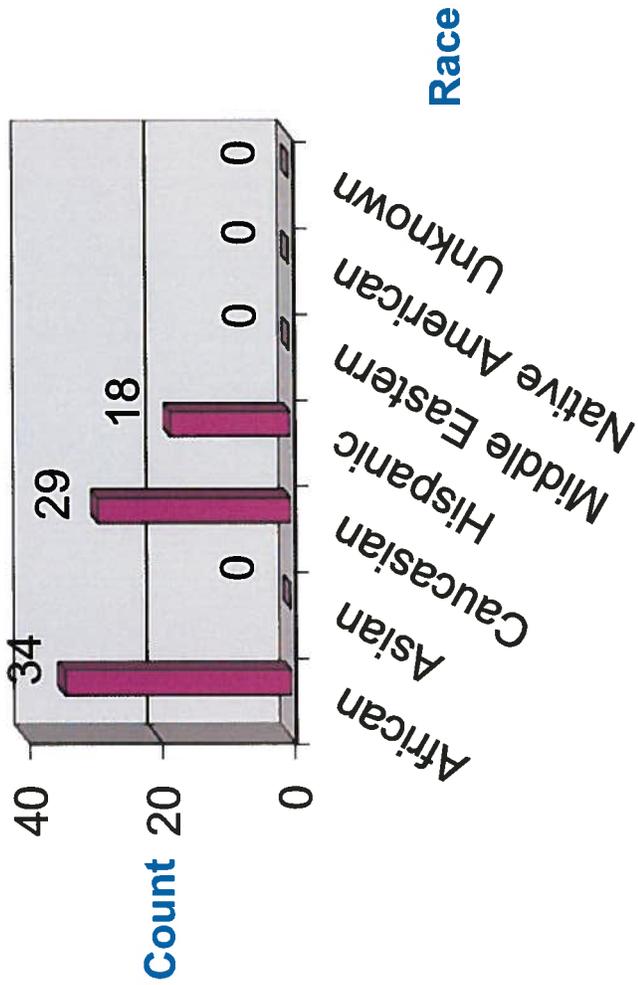


Total Traffic Stop Searches ... 153



Chart 5 - Lufkin PD 2011 Traffic Stop Searches - With Consent

Required by the Racial Profiling Law - Code of Criminal Procedure 2.132

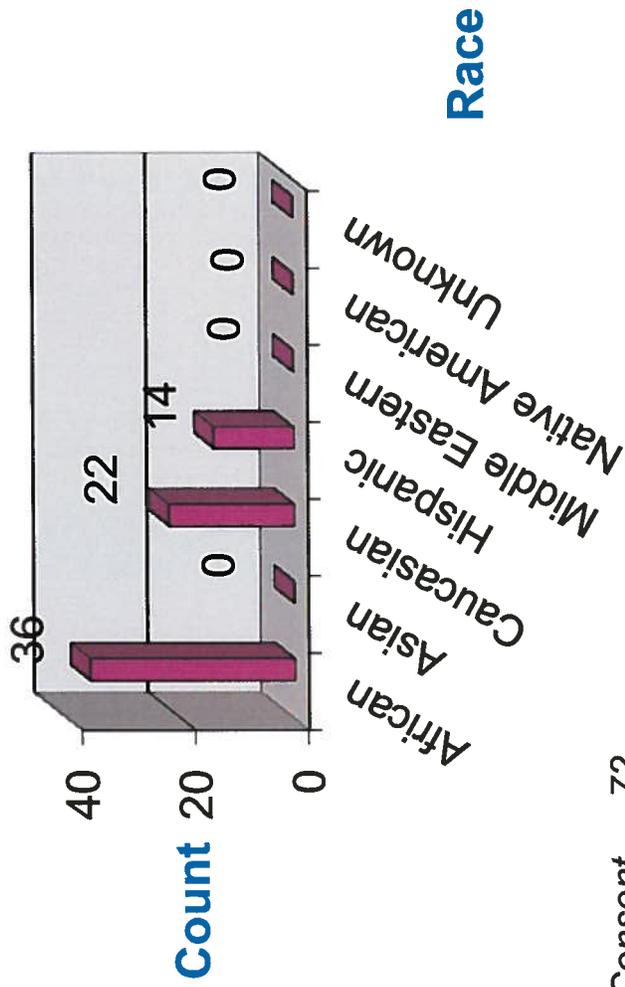


Total Searches With Consent ... 81



Chart 6 - Lufkin PD 2011 Traffic Stop Searches - Without Consent

Required by the Racial Profiling Law - Code of Criminal Procedure 2.132

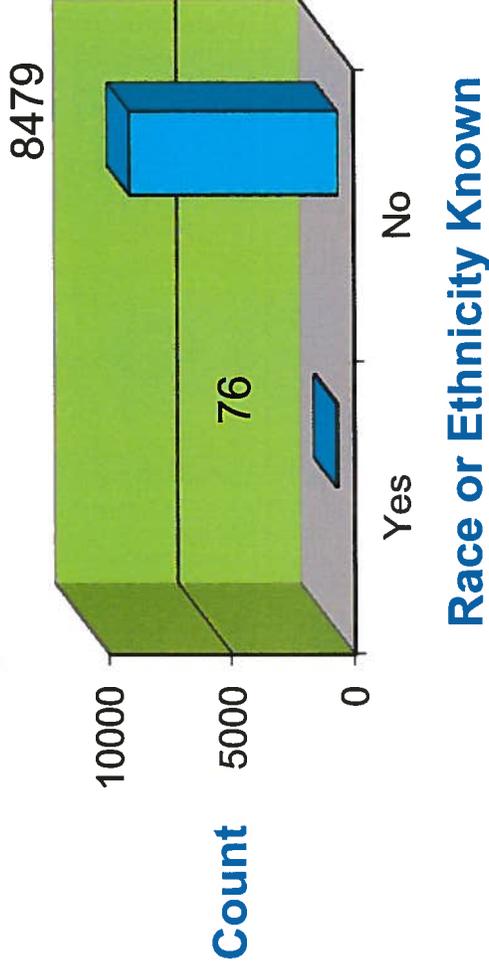


Total Searches Without Consent ... 72



Chart 12 - Lufkin PD 2011 Traffic Stops : Race or Ethnicity Known Prior to Stop

Required by the Racial Profiling Law - Code of Criminal Procedure 2.132



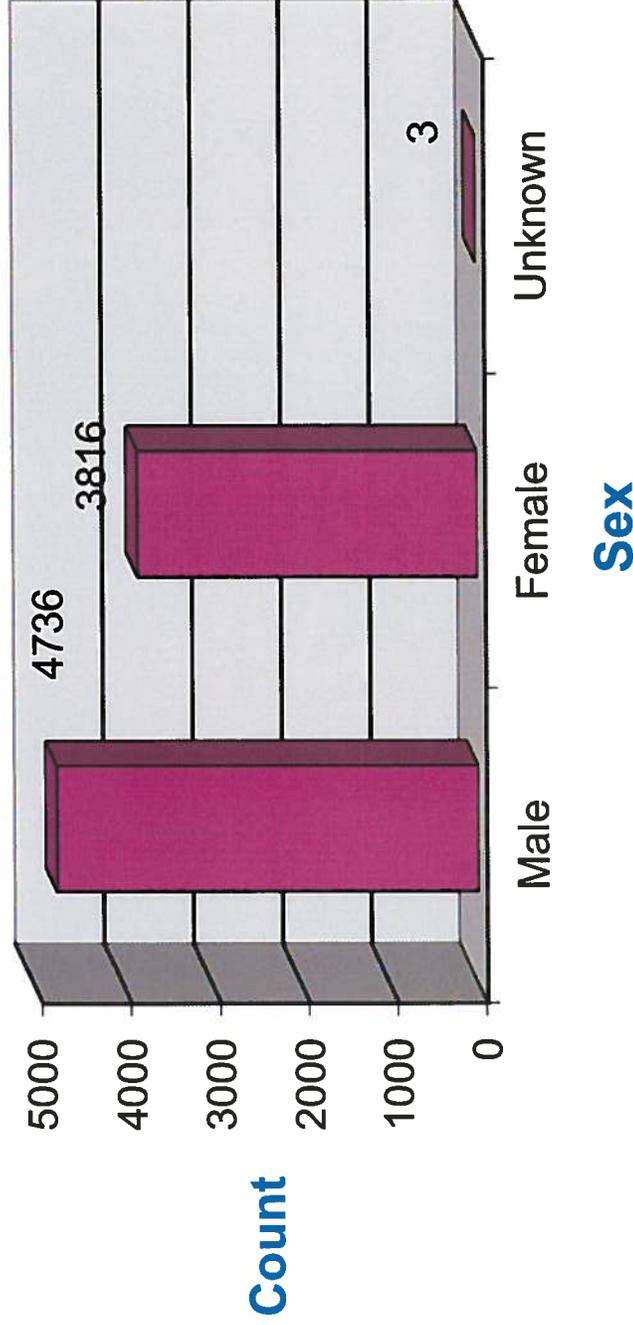
Total Traffic Stops ... 8,555

NOT MANDATED DATA



Chart 2 - Lufkin PD 2011 Traffic Stops : Sex

Additional Information not mandated by the Racial Profiling Law



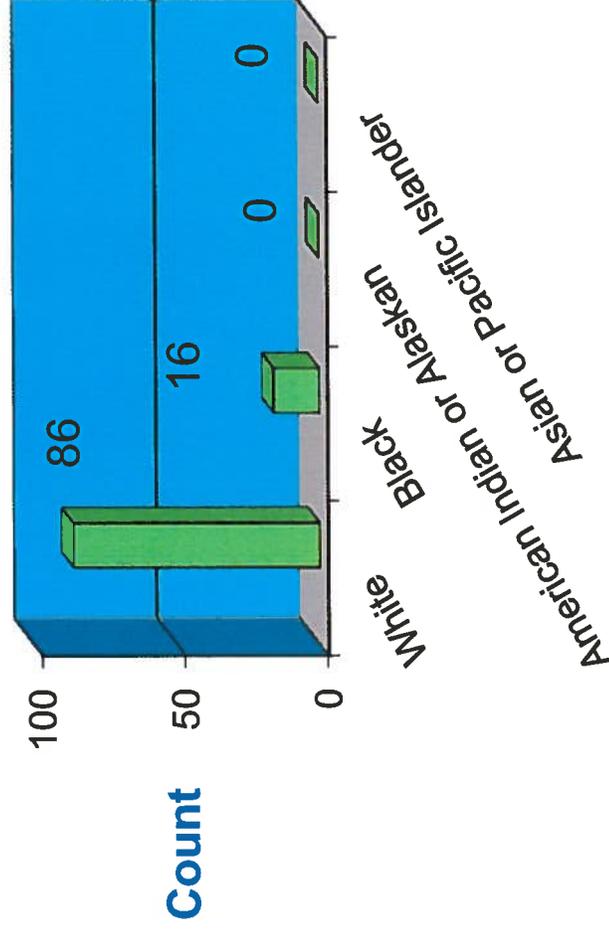
Total Traffic Stops ... 8,555

The "Unknown" traffic stops did not specify a gender.



Chart 7 - Lufkin PD 2011 DWI Arrests : Race

Additional Information not mandated by the Racial Profiling Law



Note: The reporting requirements for the FBI's Uniform Crime Report have different criteria defining race and ethnicity than the State of Texas.

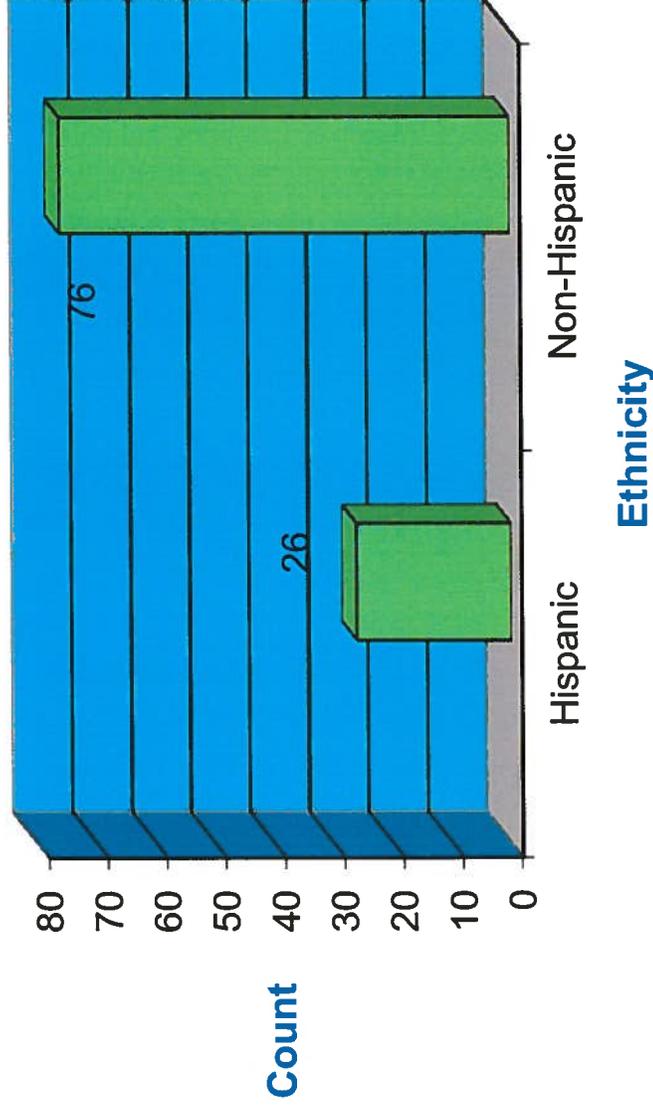
Race

Total DWI Arrests ... 102



Chart 8 - Lufkin 2011 DWI Arrests : Ethnicity

Additional Information not mandated by the Racial Profiling Law



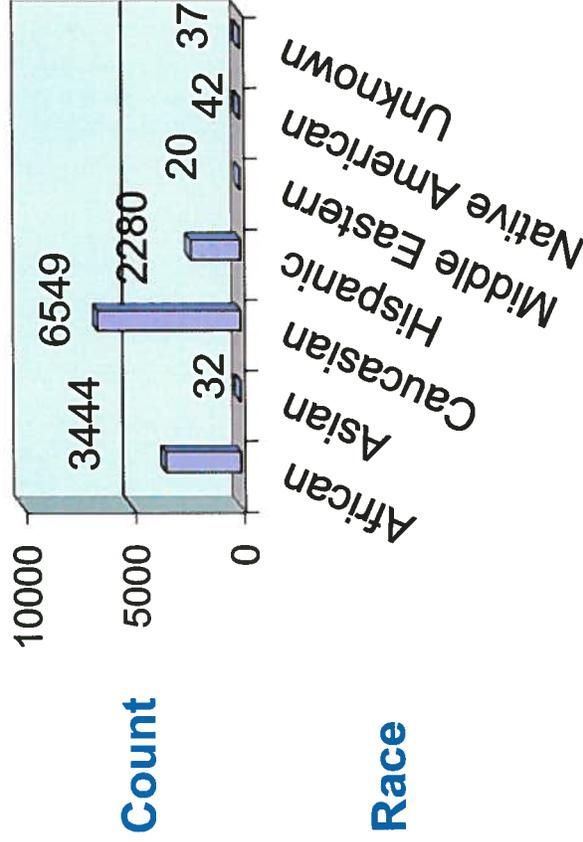
Note; The reporting requirements for the FBI's Uniform Crime Report have different criteria defining race and ethnicity than the State of Texas.

Total DWI Arrests ... 102



Chart 9 - Lufkin PD 2011 Total Traffic Violations : Race

Additional Information not mandated by the Racial Profiling Law



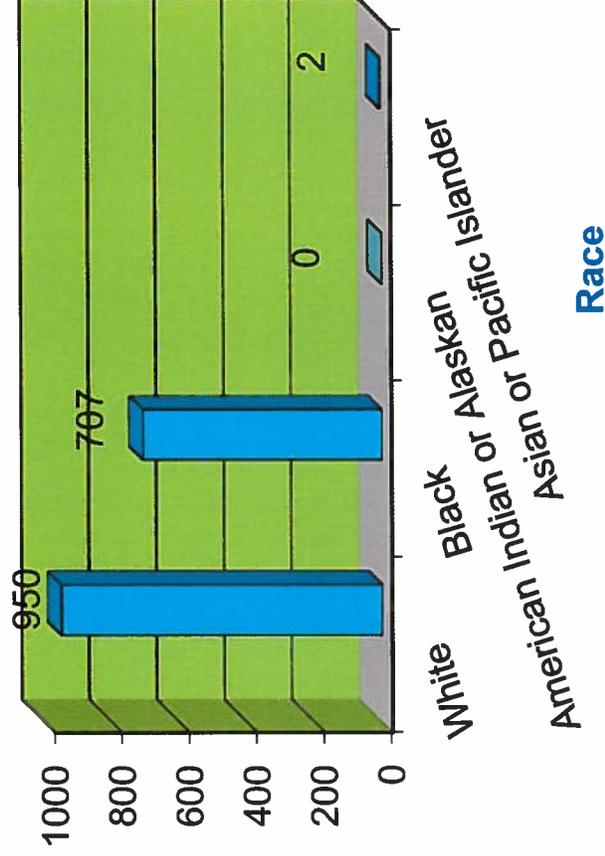
In comparison to Chart 1, this chart reflects multiple violations per traffic stop.

Total Traffic Violations ... 12,404



Chart 10 - Lufkin PD 2011 Uniform Crime Report Arrests : Race

Additional Information not mandated by the Racial Profiling Law



Note : The reporting requirements for the FBI's Uniform Crime Report have different criteria defining race and ethnicity than the State of Texas.

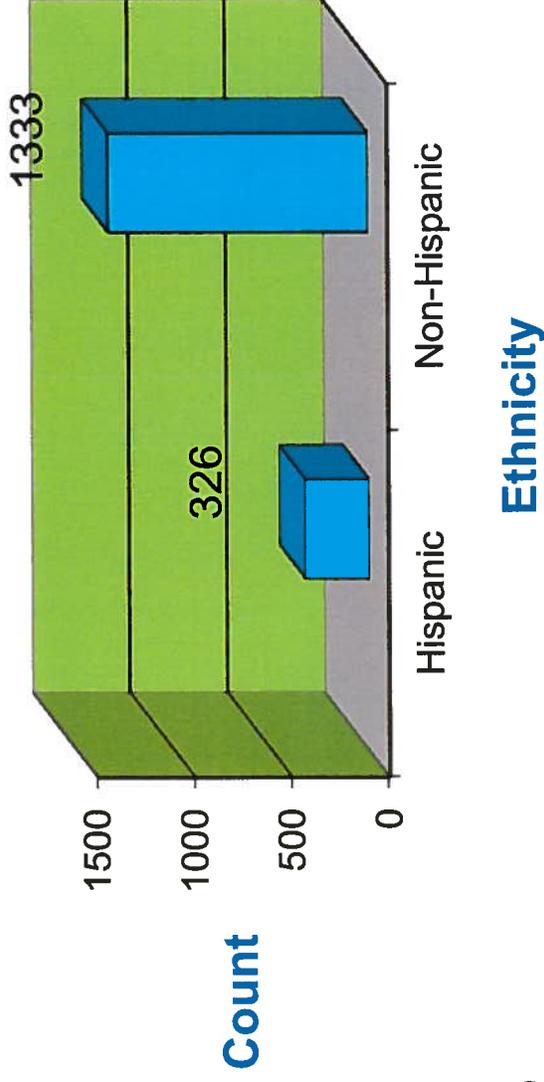
Total UCR Arrests ... 1,659



Chart 11 - Lufkin PD 2011 Uniform Crime Report Arrests : Ethnicity

Additional Information not mandated by the Racial Profiling Law

Note : The reporting requirements for the FBI's Uniform Crime Report have different criteria defining race and ethnicity than the State of Texas.



Total UCR Arrests ... 1,659

RACIAL PROFILING POLICY

LPD POLICY MANUAL – RACIAL PROFILING

PURPOSE

The purpose of this written directive is to provide guidelines for officers in the enforcement of traffic laws and ordinances; to ensure that traffic enforcement is carried out in a proactive manner within the mandates of the United States Constitution and Texas law so that all citizens are dealt with fairly; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of the law.

DEFINITIONS

31.1 Probable Cause:

A reasonable ground to suspect that a person has committed or is committing a crime or that a place contains specific items connected with a crime.

Reasonable Suspicion:

A particularized and objective basis supported by specific and articulable facts, for suspecting a person of criminal activity.

Race or Ethnicity:

A particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent (Tex. Code of Crim. Proc. Art. 2.132(a) (3)).

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 (Tex. Code of Crim. Proc. Art. 3.05).

GENERAL STATEMENT

31.2 Traffic accidents are a leading cause of death, injury and property damage to innocent persons. Citizens consistently name traffic violations as a major community policing concern in neighborhoods. Active, visible traffic law enforcement sends a strong deterrent message that reduces the incidence of dangerous driving and road rage and keeps the streets free from crime. Wanted criminals, drug couriers and persons who have just committed or are about to commit crimes are often apprehended as the result of being stopped for a traffic violation. Police officers should be alert and observant at all times during patrols, to identify and act upon unusual occurrences and violations of the law.

The United States Constitution and in particular the Bill of Rights places an emphasis on the protection of citizens' fundamental rights. Everyone, citizen and alien alike, is entitled to walk, drive and move about in public free from police interference so long as they obey the law. Likewise, innocent citizens are entitled to be free from crime and to move about freely without fear of those who do not obey the law.

Those who are accused of violating the law must receive equal and fair treatment, regardless of their race, color, ethnicity, sex, sexual orientation, physical handicap, religion, or other belief system.

POLICY

31.3 All officers are expected to enforce the traffic laws, and stop and detain motorists or pedestrians whenever there is probable cause or reasonable suspicion that they have committed, are committing, or are about to commit a violation of the law.

Officers are strictly prohibited from stopping, detaining, searching or arresting anyone on the basis of racial profiling. Officers shall make traffic and pedestrian stops only on the basis of reasonable suspicion or probable cause, and shall make arrests only on the basis of probable cause.

LPD POLICY MANUAL – RACIAL PROFILING

RACIAL PROFILING IS A TOTALLY UNACCEPTABLE PRACTICE AND WILL NOT BE TOLERATED.

31.4 Acts that constitute racial profiling: are 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.

This policy shall not preclude officers from stopping a person to offer assistance, such as observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost, or confused.

COMPLAINT PROCESS AND PUBLIC EDUCATION

31.5 Any person may file a complaint with the department if they feel they have been stopped or searched based on racial profiling, or subjected to improper treatment. No person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against for filing such a complaint. An individual wishing to file a complaint may do so in accordance with Chapter 7 of this manual (Tex. Code of Crim. Proc. Art. 3.05).

The Department shall provide education to the public concerning the racial profiling complaint process. Information relating to the complaint process will be posted on the Department's web site. The complaint process will also be part of the curriculum for each session of the citizen police academy. A citizen group or organization may request the Department to provide a presentation detailing the complaint process. The public information officer or any member of the Department at the direction of the Chief of Police will conduct presentations. A summary of the public education efforts made during the preceding year shall be included with the annual report filed with the City Council under Section 31.7 below.

CORRECTIVE ACTION

31.6 An officer who, after an investigation, is shown to have engaged in racial profiling in violation of this policy will be subject to disciplinary action in accordance with Chapter 18 of this manual.

This corrective action may include, reprimand; diversity, sensitivity or other appropriate training or counseling; paid or unpaid suspension; termination of employment, or other appropriate action as determined by the Chief of Police.

DATA COLLECTION AND ANNUAL REPORT

31.7 Information relating to traffic stops in which a citation was issued and to arrests resulting from those traffic stops, including information relating to:

The race or ethnicity of the individual detained; and whether a search was conducted and if so, whether the person detained consented to the search; and whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual. shall be collected.

This information will be captured on the citation form. These citations shall be forwarded to municipal court for statistical purposes.

The information collected shall be compiled in an annual report covering the period January 1 through December 31 of each year, and shall be submitted to the City Council no later than March 1 of the following year. The annual report shall not include identifying information about any individual stopped or arrested, and shall not include identifying information about any peace officer involved in a stop or arrest.

MOBILE VIDEO USAGE

31.8 Officers of the Department shall ensure the use of mobile video systems in accordance with Chapter 32 of this manual.

**RULES & REGULATIONS
LUFKIN POLICE DEPARTMENT**

SUBJECT: Use of the mobile video system

CHAPTER: 32

APPROVED: *Larry Braji*
Chief of Police

EFFECTIVE: 02/09/2009

Replaces: Chapter 32

I. Purpose and Scope:

To establish policy and guidelines for the operation and use of the mobile video system.

II. Policy

Mobile video systems have demonstrated to be of value in the prosecution of criminal offenses, limiting civil liability, resolving citizen complaints and are a positive training tool. Use of the MVS is intended to provide an accurate record of an incident for criminal, investigative and administrative purposes.

The mobile video system will be used to accomplish legitimate police objectives, including, but not limited to:

1. Accurately document events, actions, conditions and statements made during law enforcement contacts with the public.
2. To enhance officer reports, collection of evidence and courtroom testimony.
3. Record probable cause for arrest, custody procedures, officer and suspect interaction and evidence for investigative purposes.

III. How the mobile video system works

The mobile video system records audio and video digitally. This digital media is transferred via a wireless upload automatically when patrol vehicles enter the parking lot or when near one of the city's wireless "hotspots". The media is uploaded to a server located in the Information Technology Department. The video stored on the server will automatically purge after 145 days if not marked for permanent storage. The video system is designed in such a manner as to prevent any alteration or deletion of video. Any video marked for permanent storage will remain such until all court proceedings have ceased. Permanent video may be deleted at that time by the Custodian of Records or Property Room Clerk who are the only individuals authorized and capable of doing so.

System Triggers

The mobile video system will automatically begin recording under the following circumstances:

Anytime the officer manually activates the system either from inside the vehicle or activation of the wireless microphone.

Anytime the emergency overhead lights are activated.

Anytime the patrol vehicle reaches speeds of 80 miles per hour.

Anytime the officer depresses the electronic gun lock release.



IV. Procedures

Officer responsibilities

Officers shall check the mobile video system to ensure that it is functioning properly at the beginning of their tour of duty. If for any reason a MVS is found to be inoperable or malfunctioning, the officer will immediately notify a supervisor.

Officers shall activate the system, both video and audio, to record emergency responses to calls, pursuits and all law enforcement encounters with the public.

Officers must make sure that the video camera is properly positioned and adjusted, as much as practical, at the correct viewing angle to visibly record events.

At the time the MVS is activated, the commercial radio in the patrol car shall be turned off or the volume decreased so as not to interfere with the audio recording quality.

Once activated, the MVS is not deactivated until the enforcement action is completed. In the case of an arrest the MVS is not deactivated until the prisoner is delivered to the jail.

Officers shall submit all video of an evidentiary nature via the Evidence Transmittal Sheet.

At no time shall an officer use the MVS for anything other than official police business. This includes when officers are conversing among themselves about anything related to personal matters.

Officers will ensure that they activate the MVS, as soon as practical, if they are involved in a fleet collision. This will allow the prerecord function to capture the events just prior to the collision.

Any officer who intentionally disables or damages any part of the video recording or transmitting equipment or fails to activate the system as required by this policy will be held accountable and subject to criminal and/or internal disciplinary action.

V. Video Reviews

Patrol Lieutenants and the Traffic Sergeant shall review significant portions of video from officers under their command on a monthly basis. A Mobile Video Review Form will be completed and submitted via email to the Assistant Chief prior to the last day of each month. Deficiencies or mistakes in performance will be communicated to the officers to help them improve performance.

VI. Duplication

No video duplication will be permitted without prior consent of the Chief or Asst. Chief of Police.

On the commencement of an investigation of racial profiling, the officer(s) in question shall be provided with a copy of the video upon written request.



LPD POLICY MANUAL - INTERNAL INVESTIGATIONS

CHAPTER 7 – INTERNAL INVESTIGATIONS

GENERAL STATEMENT

7.0 Discipline is viewed by this Department as an integral part of the administrative process with the goal of achieving the willing compliance of all employees with Departmental rules, regulations, policies, and procedures, in order to promote maximum performance and to reduce the likelihood of undesirable or unsatisfactory behavior. Discipline is a positive tool for changing police behavior, rather than solely a punitive device for controlling behavior.

Lufkin Police Officers have the obligation to police themselves. The purpose of a department complaint procedure is to ensure that the citizens we serve have an orderly, efficient, and effective procedure of redress or complaint.

Mistaken or even deliberately false reports and accusations are occasionally lodged against department employees. Even the most conscientious and hardworking member will sometimes be subject to such allegations. In order to ensure the integrity of the Department and its members, and at the same time protect the good names of innocent employees, it is necessary to report, record, and investigate all accusations or infractions of department rules, regulations, policies, or illegal acts.

POLICY

7.1 It is the policy of the Lufkin Police Department to courteously receive and investigate complaints concerning the personal behavior or official acts of its employees.

A complaint is a written allegation against a member of this agency which could result in disciplinary action and which alleges an infraction of department rules, regulations, policies, and/or illegal acts.

Complaints shall, in accordance with Article 6252-20, VTCS, be reduced to writing and signed by the person making the complaint. This instrument will normally be a proper department form, but is not required to be. A signed letter from another departmental employee alleging an infraction will also fulfill the requirements of an internally generated complaint.

Citizen/officer disagreements over the validity of traffic citations or legal arrests shall under no circumstance come under the scope of this chapter. These complaints are to be left to the judicial system.

LPD POLICY MANUAL – INTERNAL INVESTIGATIONS

RECEIVING COMPLAINTS

- 7.2 The Assistant Chief and designated investigator shall, in addition to their normal duties, act in the capacity of Intake Officers for the reception of complaints.
1. In the absence of the Intake Officers, complaints are to be accepted by an on-duty supervisor and referred to an Intake Officer for processing.
 2. Any employee of the Lufkin Police Department who receives a complaint from any person regarding employee actions shall be responsible for referring the complainant to the proper intake authority.
 3. It shall be the duty of the Chief of Police to inform each complainant by letter of the outcome of the complaint.
 4. Personnel complaints will not be accepted more than six (6) months after the alleged incident, except when:
 - (a) the complaint involves a criminal violation, where criminal statutes of limitation shall prevail.
 - (b) the complainant can show good cause for the delay.
 5. Time limitations set out in Section 7.2 (4) shall not prevent the Department from taking appropriate disciplinary action to preserve the integrity of the Department, regardless of time limit.
 6. Anonymous complaints may, at the discretion of the Chief of Police, be investigated for violations. Should the allegations prove founded, a written complaint, signed by the investigating officer, shall serve as the basis for disciplinary action.
- 7.3 Intake officers, or on-duty supervisors in their absence, shall interview the complainant, obtaining all pertinent information. The allegations will be reduced to writing on the proper department form whenever possible, and an explanation furnished to the complainant for the legal necessity of a signature on the document.
- 7.4 Upon receipt of a formal complaint, it shall be the responsibility of the Intake Officer to measure the gravity of the complaint according to the following guidelines:
1. Minor complaints that would not be cause for suspension or removal from the Department.
 2. Serious complaints wherein a sustained allegation would be grounds for suspension or dismissal.
 3. Allegations of a criminal act.
 4. Complaints where the remedy appears to be training oriented.
 5. Complaints wherein a department procedure may need revision.
- 7.5 Minor complaints (as in 7.4 (1) above) shall be referred to the accused employee's immediate supervisor for action.
1. The supervisor shall investigate the complaint and take appropriate action: recommendation for training, possible needed change in policy, or disciplinary action, up to and including written reprimands.
 2. This action shall be documented and such documentation forwarded through the chain of command to the originating Intake Officer and Chief of Police.
 3. In all instances of verbal reprimands, documentation of the reprimand will be prepared by the issuing supervisor and forwarded for inclusion in the officer's personnel file.

LPD POLICY MANUAL – INTERNAL INVESTIGATIONS

WRITTEN REPRIMANDS

- 7.6 Written reprimands shall be prepared by the employee's supervisor and will be addressed to the employee. The document shall contain the following information:
1. A brief description of the incident involving the employee, and
 2. The specific rule violated.
 3. Written reprimands issued to sworn personnel will close with the following statement "A copy of this reprimand will be placed in your personnel file. Any future violation by you of the City Personnel Rules, or Departmental Rules and Regulations may result in more severe disciplinary action. If you desire to appeal this written reprimand, you must within five (5) days from the receipt of this instrument, demand a hearing before the Chief of Police. Otherwise, this written reprimand will become final."
- 7.7 Serious complaints (as in 7.4 (2) above) shall either be personally investigated by the Intake Officer or assigned to an investigator appointed by the Intake Officer.
- 7.8 Complaint reports indicating a need for training shall be referred to the proper training officer (FTO, Firearms Instructor, etc.) and a full report documenting such training shall be returned to the Intake Officer upon completion.
- 7.9 Complaint reports indicating a need for revision of procedures shall be evaluated by the Assistant Chief and recommendations made for improvement.
- 7.10 The maintenance of complaint files and statistical compilation relating to complaints shall be the responsibility of the Intake Officers.

INTAKE OFFICER TO NOTIFY ACCUSED EMPLOYEE AND SUPERVISORS

- 7.11 In administrative investigations, it shall be the duty of the Intake Officer to notify the accused employee and the supervisors of an accused employee as soon as possible after the receipt of a complaint and to advise them of the charges alleged therein.
- 7.12 In criminal investigations, should notification of the accused employee jeopardize an ongoing criminal investigation, there will be no requirement to notify him. In any event, the accused employee's supervisors shall be notified and restricted to strictest confidentiality.

DUTIES OF ASSIGNED COMPLAINT INVESTIGATORS

- 7.13 The importance of a thorough, accurate, and unbiased investigation and an accurate, complete, and detailed report cannot be overemphasized. This investigation may well affect the employment or good name of the accused, as well as the integrity of the Department and Complainant.

The purpose of an investigation is to seek out the facts and to ascertain the truth. Therefore, the investigator shall make every attempt to conduct an investigation that will prove or disprove the allegations of misconduct rather than leave them in doubt. The investigator shall have the authority to compel answers to questions pertaining to the allegation regardless of the accused employees rank or status in the department.

LPD POLICY MANUAL – INTERNAL INVESTIGATIONS

1. Once appointed, the Complaint Investigator's duties shall necessarily include:
 - (a) whenever possible, personally contacting the complainant too fully discusses the complaint.
 - (b) where appropriate, personally contacting the accused employee to fully discuss the allegations. The investigator shall in every instance read the "Reverse Garrity Warning" to the accused employee. (See Attachment A)
 - (c) when available, personally contacting all witnesses.
 - (d) taking written and signed statements from complainants, accused employees, and/or witnesses as deemed necessary to support or refute the allegations.
 - (e) obtaining all known relevant legal evidence and supporting documents that support or refute the allegations. (investigators appointed to such cases shall have access to all internal department files pertinent to the case.)
 - (f) when necessary, using any legal investigatory aids.
 - (g) submitting a detailed investigation report that addresses all allegations made, reporting the facts as determined, including all legal evidence and documentation, and including a summary of the case. This report shall be forwarded to the active Intake Officer for the case.
2. The intake Officer shall be kept informed in any case of a serious nature wherein:
 - (a) dismissal of the employee appears probable.
 - (b) criminal prosecution appears justified.
 - (c) the reputation of the Department is jeopardized.
 - (d) when widespread publicity is anticipated, it shall be the responsibility of the Intake Officer to fully apprise the Chief of Police.

DISCRETION OF CHIEF OF POLICE IN COMPLAINTS

- 7.14 Should the investigatory reports of any case appear to have merit, the active Intake Officer shall refer the findings to the Chief of Police, who shall determine and pronounce the case to be:
1. Unfounded – allegation was false or not factual.
 2. Exonerated – Incident occurred but was lawful and proper.
 3. Not Sustained – Insufficient evidence to prove or disprove the allegation.
 4. Sustained – Allegation is supported by sufficient evidence.
 5. Violation found not related to initial complaint.
- 7.15 The accused shall be notified in writing of the Chief's decision, with the original forwarded to the active Intake Officer for inclusion in the Master Complaint File
- 7.16 If an allegation is "Sustained" or a wholly separate violation not related to the initial complaint is discovered, the accused employee is immediately subject to disciplinary action by the Chief of Police.
- 7.17 The final departmental determination of punishment, suspension, retraining, or termination shall rest with the Chief of Police and shall be mandated at his discretion.
- 7.18 The Chief of Police may circumvent all formal disciplinary procedures to render an immediate decision when he deems it necessary to preserve the integrity of the Department.
- 7.19 So that preventive measures can be taken to avoid repetition of similar complaints, information regarding methodology of sustained allegations shall be accessible to supervisors.

LPD POLICY MANUAL – INTERNAL INVESTIGATIONS

FLEET ACCIDENTS

- 7.20 When the investigation of a fleet accident reveals either gross negligence, a violation of the law, or a violations of departmental rules, the employee involved is subject to immediate discipline. A fleet accident may be investigated internally, or discipline may be enforced based on a factual accident report.

RESPONSIBILITY OF ACCUSED DURING ADMINISTRATIVE INVESTIGATION

- 7.21 An employee may be required to truthfully answer questions relating to his duties and can be disciplined, including dismissal, for refusal to answer such questions truthfully.
- 7.22 An employee may be required to make written statements against his interest during an administrative investigation, and any such statements could be used against the employee in a disciplinary action or civil proceeding. Such statements would not be admissible in a criminal action.
- 7.23 Voluntary statements or confessions by an employee on wholly unrelated subjects about which he has not been ordered to give answers would be admissible in criminal actions.
- 7.24 Appointed case investigators shall carry the authority of the Chief of Police in ordering accused employees to truthfully answer questions and make statements in administrative investigations.
- 7.25 An accused employee may be required to submit to an intoxilyzer or blood test. The results of such tests are limited to administrative use except as provided by law.
- 7.26 An accused employee may submit a written request for a psychological, blood, or polygraph test if he believes such tests would be beneficial to his defense.

PSYCHOLOGICAL AND MEDICAL EXAMINATIONS

- 7.27 Any employee may be ordered to submit to a psychological or medical examination.

COMPLAINTS ALLEGING CRIMINAL ACTIVITIES

- 7.28 The active Intake Officer shall immediately notify the Chief of Police of all complaints alleging criminal activity.
1. The Chief or Intake Officer may elect to personally investigate the case or to appoint investigators.
 2. These investigators may be from a different law enforcement agency, but the Intake Officer shall maintain staff control over the investigation.

RIGHTS OF ACCUSED EMPLOYEE DURING CRIMINAL INVESTIGATION

- 7.29 The “Miranda – Garrity Warning” must be given to an employee before he may be interviewed in a criminal matter. (See Attachment B)
- 7.30 An accused employee will be permitted to have counsel present during an interview regarding an investigation of criminal conduct.
- 7.31 A search of departmental equipment over which the employee has no reasonable expectation of privacy may be conducted by this department to recover evidence to be used in a criminal proceeding. However, searches of equipment such as lockers and personal equipment such as briefcases must be done with consent or search warrant.

LPD POLICY MANUAL – INTERNAL INVESTIGATIONS

RESPONSIBILITY OF ACCUSED EMPLOYEE DURING INVESTIGATIONS

- 7.32 The accused employee may be ordered to meet with the appointed case officer to reply to any charges.
- 7.33 It is the duty of every member of this department to fully cooperate with any appointed complaint investigator in his activities. Any employee withholding or suppressing any evidence or information during an administrative investigation shall be in violation of this order and subject to dismissal.

POLYGRAPH EXAMINATIONS MANDATORY IN ADMINISTRATIVE INVESTIGATIONS

- 7.34 Any officer of this department may be ordered to submit to a polygraph examination in administrative investigations only.
- 7.35 Should any employee refuse to submit to the polygraph test, after being ordered to do so by the Chief of Police, the employee is subject to dismissal for insubordination.
- 7.36 When in the opinion of the Chief of Police, the evidence in any criminal inquiry is sufficient to justify an arrest, the active Intake Officer maintaining staff control over the investigation shall determine whether the accused employee should be arrested immediately, a warrant for his arrest should be first obtained, or legal action should be delayed pending further investigation or referral to the District Attorney or Grand Jury.

GENERAL PROVISIONS

- 7.37 When an employee of any rank is apprehended while committing a criminal act, he will be taken before his on-duty supervisor. The Chief of Police and appropriate Intake Officer shall be notified immediately.

GENERAL POLICY

- 7.38 Since the Lufkin Police Department licenses officers and it is through departmental employment that officers carry firearms, the department has an ongoing responsibility for the actions of officers, both on and off duty, involving firearms use. Uses of firearms for training, sport, practice, or hunting are exempted from this order. It is the policy of the Lufkin Police Department to investigate all incidents not excepted above wherein an officer fires his weapon, both on-duty and off-duty, and it is the responsibility of each officer to report such incidents to his immediate supervisor for transmittal to the proper Intake Officer. In every event, the Chief of Police shall be notified and supplied with a written report.
- 7.39 The active Intake Office shall cause each reported shooting incident to be investigated, with particular attention given to whether the incident is within state law and department policy.
- 7.40 Shooting incidents involving physical injury require full scale investigations as follows:
1. The Chief of Police or active Intake Officer shall initiate an in-depth investigation into the shooting.
 2. They may enlist the aid of additional officers or other agencies in this investigation.
 3. The appointed investigator(s) shall prepare a presentation for the Chief of Police and the District Attorney's office concerning the incident.
 4. The Chief of Police shall evaluate each incident and take appropriate action in each case.

LPD POLICY MANUAL – INTERNAL INVESTIGATIONS

INDEBTEDNESS COMPLAINTS

- 7.41 A member of this department may be disciplined for failure to pay just debts.
- 7.42 No member will be disciplined for failing or refusing to pay an unjust or justifiably disputed debt or usurious interest, or a debt barred by a discharge in bankruptcy or by the statute of limitations.
- 7.43 No member may be forced by this department to enter into an agreement with one creditor, which would make it impossible for him to pay his other creditors a fair and proportionate amount or to reasonably provide his family with the necessities of life.

EMERGENCY RELIEF FROM DUTY

- 7.44 A supervisor has the authority to impose emergency relief from duty for an employee until the next business day when it appears that such action is in the best interest of the department. Whenever the accused is relieved of duty, the supervisor shall immediately notify the Chief of Police and appropriate Intake Officer.
- 7.45 Whenever the accused is suspended or relieved of duty, his immediate supervisor shall secure the employee's credentials until his return to duty. Further, the supervisor shall prepare a written report, detailing the subordinate's actions, and shall forward this report to the active Intake Officer. Such document shall serve as written complaint.

RESPONSIBILITY OF DEPARTMENT EMPLOYEES REGARDING COMPLAINTS

- 7.46 Internal investigations are the sole responsibility of the Chief of Police, Intake Officers, and their designates. No other member of this department shall initiate or conduct any investigation, nor cause the same to be done by a subordinate. This section also precludes the use of outside persons or agencies to conduct internal investigations except those authorized by the Chief of Police.
- 7.47 Any release of information upon completion and reporting of any internal investigation shall be done in compliance with the "Release of Information" procedures established in this manual and shall be released only upon the direction of the Chief of Police or City Attorney.
- 7.48 Any employee of this Department who shall make or authorize any unofficial press or news releases or who "leaks" any information regarding any internal investigation to any person, official, or agency, shall be subject to disciplinary action to include dismissal.

CONFIDENTIALITY OF INVESTIGATIONS

- 7.49 All administrative inquiries are classified "confidential" and no portion of the investigation may be reproduced without the approval of the active Intake Officer.
- 7.50 All criminal investigations are classified "secret" and will not be reproduced.
- 7.51 All personnel having investigatory knowledge of an internal complaint, or mere knowledge of the existence of a criminal allegation, shall be virtue of that knowledge be restricted to absolute confidentiality and secrecy, and shall not discuss such matters, except with the appropriate personnel.
- 7.52 All completed investigation reports and all copies thereof will be returned to the active Intake Officer for inclusion into the Master Internal Complaint file.

LPD POLICY MANUAL – INTERNAL INVESTIGATIONS

- 7.53 No investigation reports will be released to unauthorized persons. Should the FBI investigate a complaint, the Intake Officer shall not release the employee's special report to the FBI unless authorized in writing by the accused employee.
- 7.54 It is the policy of this department to contest all requests for complaint investigation report files. However, should a court order the production of the records, the order will be complied with.

FALSE ALLEGATIONS LODGED AGAINST EMPLOYEES

- 7.55 Should an investigation prove beyond a reasonable doubt that the allegations lodged by the complainant were false, it is the policy of this department to obtain an arrest warrant for the complainant, charging them with "Making a False Report" under the provisions of the Texas Penal Code.

RIGHT OF APPEAL

- 7.56 The following actions may be appealed under the provisions of Section 143, Local Government Code, The Civil Service Statutes:
1. Suspensions
 2. Indefinite Suspensions
 3. Demotions
 4. Dismissals
 5. Passovers for Promotion - not for lateral transfers
 6. Entrance or Promotional Tests (for exact grounds of appeal, see Section 143, Local Government Code)
- 7.57 The employee must file a written appeal within ten (10) days to the Civil Service Commission.
- 7.58 An appeal must set forth the basis of appeal by including a statement:
1. Denying the truth of the charge as made, or
 2. Taking exception to the legal sufficiency of such charges, or
 3. Alleging that the recommended action does not fit the offense or alleged offense, or
 4. Any combination of the above, AND
 5. Requesting a hearing by the Civil Service Commission.
- 7.59 An employee may, under certain conditions, appeal a Civil Service Commission finding to District Court. The petition must be filed in District Court within ten (10) days after such final decision is sent to the officer by certified mail or is personally received by the officer or his designate.
- 7.60 The following Civil Service Commission findings may, alternatively, be appealed to an independent third party hearing examiner. However, in so doing, the employee waives all rights of appeal to a District Court, except as provided by Section 16c (f) of the Civil Service Act., Section 143, Local Government Code.
1. Indefinite Suspensions
 2. Suspensions
 3. Promotional Passovers
 4. Recommended Demotions
- 7.61 Verbal reprimands, written reprimands or evaluations are not appealable under Civil Service Law, although an officer may write a personal addendum for attachment to his evaluation or written reprimand within his personnel file.

LPD POLICY MANUAL – INTERNAL INVESTIGATION

SEXUAL HARASSMENT COMPLAINTS

7.62 Re: Section 18.44; in the event it is necessary for a member of this department to file an internal complaint against an employee of this department alleging sexual harassment, the normal chain of command may be circumvented at the discretion of the offended employee. The complaint may be filed by contacting the person designated by the Chief of Police to accept sexual harassment complaints. This person will generally be a female employee of the Lufkin Police Department.

LPD POLICY MANUAL – VIOLATIONS AND DISCIPLINARY ACTIONS

GENERAL STATEMENT

Certain actions shall subject a Lufkin Police Department employee to disciplinary actions. These actions shall include, but are not limited to the following:

- 18.1 Violation of any federal or state law, county, or municipal ordinance;
- 18.2 Willful mistreatment of a person;
- 18.3 Unlawful, careless, or negligent use of any weapon;
- 18.4 Making a false official report;
- 18.5 Disorderly conduct;
- 18.6 Intoxication on or off duty;
- 18.7 Drinking any type of intoxicating liquor while on duty or in uniform, except where such action is required in the performance of assigned duties;
- 18.8 Immoral conduct, or any conduct on duty of a sexual nature, or with sexual overtones, or the act of soliciting dates while on duty;
- 18.9 Use of habit-forming drugs or narcotics, except by physician's direction;
- 18.10 Conduct unbecoming an employee of the Lufkin Police Department;
- 18.11 Neglect of duty;
- 18.12 Sleeping, lounging, or loitering while on duty;
- 18.13 Sexual harassment;
- 18.14 Ethnic or racial remarks or slurs;
- 18.15 Inattention to duty;
- 18.16 Incapacity or inefficiency in the performance of duty;
- 18.17 Cowardice;
- 18.18 Neglect or disobedience of orders;
- 18.19 Insubordination or disrespect to a superior officer;
- 18.20 Failure to treat any person civilly and courteously;
- 18.21 Using coarse, profane, or insolent language;
- 18.22 Failure to maintain an impartial attitude toward persons coming to the attention of the police;

LPD POLICY MANUAL – VIOLATIONS AND DISCIPLINARY ACTIONS

- 18.23 Failure to identify self by giving name, rank, and badge number when so requested;
- 18.24 Receiving, soliciting, or attempting to solicit a bribe or money, gift, present, reward, or anything of value for police services rendered, or for failure to perform a police service, from a person under arrest or from someone in his behalf;
- 18.25 Associating or conducting business with individuals of unsavory reputation and/or criminal records;
- 18.26 Frequenting or patronizing establishments of unsavory reputation or ownership or operation by persons with criminal records or connections;
- 18.27 Failure to be properly attired and equipped;
- 18.28 Failure to maintain a neat and clean appearance of self and clothing;
- 18.29 Absence from duty without leave or proper permission;
- 18.30 Leaving post or assigned section without permission or without being regularly relieved;
- 18.31 Publicly criticizing official actions of a superior;
- 18.32 Unauthorized dissemination or release of any information concerning police matters to the news media, public, or others;
- 18.33 Soliciting business, clients, or customers for any business establishment or any business or professional person;
- 18.34 Willfully defacing or destroying property of this Department;
- 18.35 Unauthorized use of property of this Department;
- 18.36 Mistreatment of a junior member of this Department;
- 18.37 Failure to obey a lawful order;
- 18.38 Violation of a direct order of a superior officer;
- 18.39 Violation of Department rules and regulations;
- 18.40 Failure to notify a superior officer that an officer or civilian employee has violated a rule, regulation, or order of this Department;
- 18.41 Any act or omission which brings or tends to bring the individual or the Department into disrepute;
- 18.42 Any act or omission contrary to good order and discipline of the Department;

LPD POLICY MANUAL – VIOLATIONS AND DISCIPLINARY ACTIONS

- 18.43 Any willful mistreatment or violation of civil rights of any person;
- 18.44 Sexual harassment of any nature;
- 18.45 Racial Profiling (See Chapter 31)

SECTIONS 18.46 THROUGH 18.49 RESERVED

- 18.50 An employee of this Department guilty of violating the Rules and Regulations of this Department shall be subject to action as set forth below:
- 18.51 Oral reprimand (which must be documented by the supervisor and placed in the supervisor's notes, with a copy thereof forwarded to the employee involved.)
- 18.52 Written reprimand (See Chapter 7)
- 18.53 Working on days-off without pay
- 18.54 Suspension for a specified time
- 18.55 Dismissal
- 18.56 The Chief of Police may order any of the above sanctions. A superior may order 18.51 or 18.52 above, and may recommend to the Chief that an employee be suspended for up to five (5) days or that termination proceedings be initiated.
- 18.57 Requests for punishment beyond a supervisor's authority must be submitted in writing (in full detail) directly to the Chief of Police. Written notification of all reprimands and punishments must be submitted to the Chief through channels.
- 18.58 The Chief, Assistant Chief, Lieutenants, or Sergeants may summarily suspend an officer or civilian or withdraw an officer or civilian from duty assignment in cases of serious disciplinary infractions, criminal offense, or similar incident for up to twenty-four (24) hours so that proper disciplinary action can be initiated. The Chief must be notified as rapidly as possible in such cases.
- 18.59 The Chief of Police may suspend for up to thirty (30) days in order to properly investigate a disciplinary infraction, violation, or offense and to prepare and prefer appropriate charges. Such suspension is not intended and shall not be construed to be either disciplinary action or punishment.

RACIAL PROFILING LAW

Art. 2.131. Racial profiling prohibited.

A peace officer may not engage in racial profiling. *(Added by L. 2001, chap. 947(1), eff. 9/1/2001.)*

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.

(Added by L.2001, chap. 947(1), eff. 9/1/2001.)

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.

(Added by L.2001, chap. 947(1), eff. 9/1/2001.)

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.

(Added by L.2001, chap. 947(1), eff. 9/1/2001.)

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.

(Added by L.2001, chap. 947(1), eff. 9/1/2001.)

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. *(Added by L.2001, chap. 947(1), eff. 9/1/2001.)*

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).

(Added by L.2001, chap. 947(1), eff. 9/1/2001.)

Art. 2.138. Rules.

The Department of Public Safety may adopt rules to implement Articles 2.131 - 2.137. *(Added by L.2001, chap. 947(1), eff. 9/1/2001.)*

**ACLU RACIAL PROFILING
GRADING MATRIX**

Addendum: Racial Profiling Grading Matrix

Grading is as follows: Every department's scorecard will include either 8 or 9 answers to questions, the variable being whether or not the department has chosen to do video rather than collect Phase II data. If the department chose to collect phase II data instead of installing cameras, grading is as follows: 8=A, 7=A-, 6=B, 5=C, 4=D, and <4=F. If they chose to install cameras instead of collecting phase II data, the grading is 9=A, 8=A-, 7=B, 6=C, 5=D, and <5=F. Departments meeting all minimum requirements and also electing to collect phase II data were rewarded with an A+.

The checks on the tables correspond to a "Yes" answer to the following questions:

1. Is the definition essentially the same as the state definition ("any law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or information identifying the individual as having engaged in criminal activity")?
2. Does the policy enumerate specific examples of behaviors that constitute racial profiling?
3. Does it require universal officer training on racial profiling policies?
4. Data collection: Does the policy require collection of Phase I data?
5. Data collection: Does the policy require collection of Phase II data?
6. Video (if applicable): If the answer to question 5 is no, then departments must have a policy that anticipates installing video in every car. Does the policy address video, and if so is there a process for reviewing video and video retention policies (must keep them for 90 days)?
7. Annual reporting: Does the policy require annual reporting of data collected from racial profiling logs and/or video cameras?
8. Is there a process specified to receive complaints about racial profiling?
9. Is there an explicit provision that officers who violate the rule will receive "appropriate corrective action"?



TEXAS

For more information contact:
Will Harrell, Executive Director
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Racial Profiling Policies and Scores Based on Items in Statute

Name	1	2	3	4	5	6	7	8	9	Grade
Addison	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
Alamo Heights	-	-	✓	✓	✓	-	✓	✓	✓	B
Alvarado	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
Amesville	✓	✓	✓	-	-	-	-	-	-	F
Andrews	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Aransas Pass	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Aroola	✓	-	✓	✓	-	✓	-	✓	✓	C
Arlington	-	-	✓	✓	✓	-	✓	✓	✓	B
Athens	-	-	✓	✓	✓	-	✓	✓	-	C
Bach Springs	-	-	✓	✓	-	✓	✓	✓	✓	C
Bastrop	✓	-	-	✓	-	✓	✓	✓	✓	C
Bedford	✓	-	✓	✓	-	✓	✓	✓	✓	B
Bell County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Bellsire	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Bellville	-	-	-	✓	-	-	-	✓	-	F
Big Sandy	✓	✓	✓	✓	-	✓	-	✓	✓	B
Big Spring	✓	✓	✓	✓	✓	✓	✓	✓	✓	A+
Blanco	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Blue Mound	-	-	✓	✓	-	✓	✓	✓	✓	C
Boerne	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Bogata	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Bonham	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Borger	-	-	✓	✓	-	✓	✓	✓	-	D
Bosque County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Brady	-	-	✓	✓	-	✓	✓	✓	-	D
Brenham	✓	-	✓	✓	-	✓	✓	✓	-	C
Bruceville-Eddy	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Bryan	-	-	✓	✓	-	✓	✓	✓	-	D
Burkburnett	-	-	-	✓	-	✓	✓	✓	-	F
Burnet County	✓	-	✓	✓	-	✓	-	✓	✓	C
Cactus	✓	-	-	✓	-	-	✓	✓	✓	D
Camp County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Canton	✓	-	-	-	-	-	-	✓	✓	F
Canyon	-	-	✓	✓	-	✓	✓	✓	-	D
Carrollton	✓	-	✓	✓	-	✓	✓	✓	✓	B
Carthage	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Cedar Park	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Cherokee County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Cibola	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
Cockrell Hill	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Coke County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Colorado	✓	✓	✓	✓	-	✓	✓	✓	✓	A

Racial Profiling Policies

Name	1	2	3	4	5	6	7	8	9	Grade
Colorado County	✓	-	-	-	-	-	✓	✓	✓	F
Comanche County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Commerce	✓	✓	✓	✓	-	✓	✓	✓	-	B
Conroe	✓	✓	✓	✓	-	✓	✓	✓	-	B
Coolidge	✓	✓	✓	-	-	-	-	✓	✓	D
Coppell	✓	-	-	✓	-	✓	✓	✓	-	D
Corinth	-	-	-	✓	✓	-	-	✓	✓	D
Coryell County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Crandall	✓	✓	✓	✓	-	✓	✓	✓	-	B
Crawford	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Crowley	✓	-	-	✓	✓	-	✓	✓	✓	B
Cucero	✓	-	-	✓	-	✓	✓	-	-	F
Dalhart	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Dallas County	-	-	✓	✓	-	✓	✓	✓	✓	C
Dayton	-	-	✓	✓	✓	-	✓	✓	✓	B
Denver City	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Desoto	✓	-	✓	✓	-	✓	-	✓	✓	C
Dickinson	✓	✓	-	✓	-	✓	✓	✓	✓	B
Dumas	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Duncanville	-	-	-	✓	-	✓	✓	✓	✓	D
Eastland	✓	-	✓	✓	✓	-	✓	✓	✓	A-
Edna	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Edwards County	-	✓	✓	✓	-	✓	✓	✓	✓	B
El Paso	✓	✓	✓	✓	✓	-	✓	-	-	B
Elgin	-	-	✓	✓	-	✓	✓	✓	-	D
Erath CSD	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Eules	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Eustace	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Everman	-	-	✓	✓	-	✓	✓	✓	-	D
Fairfield	-	-	✓	✓	-	✓	✓	✓	-	D
Fayette County	✓	-	-	✓	-	✓	✓	✓	✓	C
Floyd County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Fort Stockton	-	-	-	-	-	✓	-	✓	-	F
Fort Worth	✓	-	✓	✓	-	-	-	✓	✓	D
Fredericksburg	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Frisco	✓	✓	✓	✓	-	✓	✓	✓	-	B
Fritch	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Gainesville	-	-	✓	✓	-	-	-	✓	✓	F
Garland	-	-	✓	✓	-	✓	✓	✓	-	D
Gatesville	-	-	-	✓	-	✓	✓	✓	✓	D
Godley	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Gorman	✓	✓	✓	✓	-	✓	✓	✓	✓	A

Racial Profiling Focuses

Name	1	2	3	4	5	6	7	8	9	Grade
Graham	-	-	✓	✓	-	✓	✓	✓	-	D
Granbury	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Grand Prairie	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Grapevine	-	-	-	✓	-	✓	✓	✓	✓	D
Gray County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Gregory	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
Hallettsville	-	-	✓	✓	-	✓	✓	✓	-	D
Hamlin	-	-	✓	✓	-	✓	✓	✓	-	D
Harker Heights	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Harris County	-	-	✓	✓	-	✓	✓	✓	✓	C
Hartley CSD	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Hedwig Village	✓	✓	-	✓	-	✓	✓	✓	-	C
Hemphill County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Hempstead	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Henderson	-	-	✓	✓	-	✓	✓	✓	-	D
Hereford	✓	-	-	✓	-	-	✓	✓	✓	D
Hickory Creek	-	-	✓	✓	-	-	✓	✓	✓	D
Hill County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Hollywood Park	✓	✓	✓	✓	-	✓	✓	✓	-	B
Houston	✓	✓	-	✓	✓	-	✓	✓	✓	A- ★
Huntsville	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Hurst	-	-	✓	✓	-	✓	✓	✓	-	D
Irion County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Italy	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Jacinto City	-	-	✓	✓	-	✓	✓	✓	-	D
Jack County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Jacksboro	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
Jacksonville	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Jamaica Beach	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Jones County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Kaufman County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Keller	✓	-	-	✓	-	✓	✓	✓	✓	C
Kendall County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Kerens	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Kermit	✓	-	-	✓	-	✓	✓	✓	-	D
Kerrville	✓	-	✓	✓	-	✓	✓	✓	✓	B
Killeen	-	✓	✓	✓	-	✓	✓	✓	✓	B
Kimble County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
King County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Kirby	-	-	-	✓	-	-	-	✓	✓	F
Kleberg CSD	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
La Grange	✓	✓	✓	✓	-	✓	✓	✓	-	B
La Porte	-	-	-	✓	-	-	-	✓	✓	F

Racial Profiling Policies

Name	1	2	3	4	5	6	7	8	9	Grade
Lacy-Lakeview	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
Ladonia	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
Lago Vista	✓	-	✓	✓	-	✓	✓	✓	-	C
Lake Dallas	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Lake Jackson	✓	-	-	✓	✓	-	✓	✓	✓	B
Lake Worth	-	-	✓	✓	-	✓	✓	✓	-	D
Lakeway	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Lamar County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Lamesa	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Lampasas	-	✓	✓	✓	-	✓	✓	✓	✓	B
Lancaster	-	-	✓	✓	-	✓	✓	✓	-	B
Lavon	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
League City	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Leon CSD	-	-	✓	✓	✓	-	✓	✓	✓	B
Leonard	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Lexington	✓	-	✓	✓	-	✓	✓	✓	-	C
Lindale	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
Lindsay	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Littlefield	-	-	✓	✓	-	✓	✓	✓	-	D
Liverpool	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
Llano	-	-	✓	✓	-	✓	✓	✓	-	D
Llano County	✓	✓	✓	✓	-	-	✓	✓	✓	B
Lockhart	-	-	✓	✓	✓	-	✓	✓	-	C
Lockney	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
Longview	✓	-	✓	✓	✓	-	✓	-	✓	C
Lufkin	✓	✓	-	✓	-	✓	✓	✓	✓	A-
Luling	-	-	-	✓	✓	-	✓	✓	-	D
Madison County	✓	-	✓	✓	✓	-	✓	✓	✓	A-
Malakoff	-	-	✓	✓	-	✓	✓	✓	-	D
Manco	-	-	✓	✓	-	✓	✓	✓	✓	C
Marble Falls	✓	✓	✓	✓	-	✓	✓	✓	✓	A
McKinney	✓	✓	✓	✓	-	✓	✓	✓	-	B
Mesquite	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Midland	-	-	✓	✓	-	-	✓	✓	-	F
Monahans	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Montague	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Moody	-	-	✓	✓	-	✓	✓	✓	-	D
Moore County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Motley County	-	-	-	-	-	-	-	-	-	F
Mt. Enterprise	-	-	✓	✓	-	✓	✓	✓	-	D
Mt. Pleasant	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Muleshoe	-	-	✓	✓	-	✓	✓	✓	-	D
Navarro County	✓	✓	✓	✓	-	✓	✓	✓	✓	A

★

Racial Profiling Policies

Name	1	2	3	4	5	6	7	8	9	Grade
Nederland	-	-	-	✓	-	-	✓	✓	✓	F
Needville	✓	-	-	✓	✓	✓	✓	✓	✓	B
New Braunfels	✓	✓	✓	✓	-	✓	✓	✓	✓	A
New London	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Nolan County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
North Richland Hills	-	✓	-	✓	-	✓	✓	✓	✓	C
Oak Ridge	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Odessa	-	-	-	-	-	✓	-	✓	✓	F
Olmos Park	✓	-	✓	✓	-	✓	✓	✓	✓	B
Orange	-	-	-	✓	-	✓	✓	✓	✓	D
Orange County	-	-	-	-	-	-	-	✓	-	F
Palestine	✓	✓	✓	✓	-	✓	-	✓	✓	B
Palmer	✓	-	✓	✓	-	✓	✓	✓	✓	B
Paris	-	-	✓	✓	-	✓	✓	✓	✓	C
Pacadena	-	✓	-	✓	-	✓	✓	✓	✓	C
Pearsall	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Pecos	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Pflugerville	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Plainview	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Piano	-	-	✓	✓	-	✓	✓	✓	-	D
Pleasanton	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Polk County	✓	-	-	✓	-	✓	-	✓	✓	D
Port Neches	✓	-	✓	✓	-	✓	✓	✓	✓	B
Quitman	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Rancho Viejo	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Randall CSD	-	-	-	-	-	-	-	✓	-	F
Red Oak	-	-	✓	✓	-	✓	✓	✓	-	D
Red River County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Reklaw	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Rice	-	-	✓	✓	-	✓	✓	✓	✓	C
Richardson	-	-	-	✓	-	-	✓	✓	✓	F
Richland Hills	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Richmond	✓	-	✓	✓	-	✓	✓	✓	✓	B
River Oaks	-	-	✓	✓	-	✓	✓	✓	-	D
Rockdale	-	-	✓	✓	-	✓	✓	✓	✓	C
Rockwall County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Sachse	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Saginaw	-	-	✓	✓	✓	✓	✓	✓	✓	B
San Antonio	✓	-	✓	✓	✓	✓	✓	✓	✓	A
Santa Anna	-	-	✓	✓	-	✓	✓	✓	-	D
Selma	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Seminole	✓	✓	✓	✓	-	✓	✓	✓	✓	A

Racial Profiling Policies

Name	1	2	3	4	5	6	7	8	9	Grade
Shenandoah	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Sherman	-	-	-	✓	-	✓	✓	-	✓	F
Slaton	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
Smithville	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Snyder	-	-	✓	✓	-	✓	✓	✓	✓	C
Somervell County	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Somerville	✓	-	-	✓	✓	-	✓	✓	✓	B
Splendora	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Stamford	-	-	✓	✓	-	✓	✓	✓	✓	C
Stephens CSD	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Stephenville	-	-	✓	✓	-	✓	✓	✓	✓	C
Sterling	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Sugar Land	✓	✓	✓	✓	-	-	✓	✓	✓	B
Sulphur Springs	-	-	✓	✓	-	✓	✓	✓	✓	C
Sundown	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Sunset Valley	-	-	-	✓	✓	-	✓	✓	✓	C
Sweeny	✓	-	✓	✓	✓	-	✓	✓	✓	A-
Swisher	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Taylor County	✓	✓	-	-	-	-	-	-	-	F
Temple	-	-	✓	✓	-	✓	✓	✓	✓	C
Terrell	-	-	✓	✓	-	✓	✓	✓	-	D
Texarkana	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Texas City	✓	✓	✓	✓	-	✓	✓	✓	✓	A
The Colony	-	-	✓	✓	-	-	✓	✓	✓	D
Thorndale	-	-	✓	✓	-	✓	✓	✓	-	D
Titus County	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
Travis CSD	✓	-	✓	✓	✓	-	✓	✓	✓	A-
Trinidad	✓	-	✓	✓	✓	-	✓	✓	-	B
Tulia	-	-	✓	✓	-	-	✓	✓	-	F
Tyler	-	-	✓	✓	-	✓	✓	✓	-	D
University Park	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Valley Mills	-	-	-	-	-	-	-	-	✓	F
Vernon	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Victoria	-	-	✓	✓	-	✓	✓	-	-	F
Vidor	-	-	-	✓	-	✓	✓	✓	✓	D
Waco	✓	-	✓	✓	-	-	✓	✓	✓	C
Wake Village	✓	✓	-	-	-	-	-	✓	✓	F
Walker CSD	✓	✓	✓	✓	✓	-	✓	✓	-	A-
Walker County	✓	-	-	✓	-	✓	✓	✓	✓	C
Wallis	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Ward CSD	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
Waskom	✓	✓	✓	✓	-	✓	✓	✓	✓	A

Racial Profiling Policies

Name	1	2	3	4	5	6	7	8	9	Grade
Weatherford	-	✓	-	✓	✓	-	✓	✓	-	C
Webster	-	-	✓	✓	-	✓	✓	✓	✓	C
Weimar	✓	-	-	✓	-	✓	✓	✓	✓	C
Wells	-	-	-	✓	✓	-	✓	✓	✓	C
West Columbia	-	-	✓	✓	-	✓	✓	✓	-	D
West University Place	-	-	✓	✓	-	✓	✓	✓	-	D
Westlaco	✓	✓	✓	✓	-	✓	✓	✓	-	B
Wharton	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Whitehouse	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Whitney	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Wichita County	✓	✓	✓	✓	✓	-	✓	✓	✓	A+
Wichita Falls	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Williamson	-	-	✓	✓	-	✓	✓	✓	✓	C
Winderest	-	✓	✓	✓	✓	-	✓	✓	✓	A-
Wise County	✓	-	✓	✓	-	✓	✓	✓	-	C
Wylie	✓	✓	✓	✓	-	✓	✓	✓	✓	A
Yeakum	✓	✓	✓	✓	-	✓	✓	✓	✓	A
TOTALS	183	150	224	259	45	205	248	262	206	
Percent of Total	67.5	55.4	82.7	95.6	16.6	75.6	91.5	96.7	76.0	
A+ 17	6.2%									
A 104	38.3%									
A- 9	3.3%									
B 34	12.5%									
C 37	13.6%									
D 47	17.3%									
F 23	8.5%									