



CITY MARSHAL
ISAAC J. GERAMI

VON ORMY CITY MARSHAL'S OFFICE

P.O. BOX 10
VON ORMY, TEXAS 78073
(210) 398-0496
CityMarshal@VonOrmyTexas.com



Racial Profiling Comparative Analysis For 2012 Tier 2 Reporting

Von Ormy City Marshals' Office
Agency #: 029602
P.O. Box 10
Von Ormy, Texas 78073
Office #: 210-487-0378

Total number of vehicle stop or contacts: 608

Of the total number of stops (608) only 73 could be classified as racial or ethnic minorities (this amounts to 12% of the total number of vehicle contacts). This overall percentage is based on having identified those classes of ethnic or racial minorities within the total number of vehicle stops.

Comparative Analysis:

Those identified as minorities include a total of 11 African Americans (or 1.8% of all stops), 61 Hispanic Americans (or 10.03% of all stops), and 1 Asian American (or .002% of all stops). A comparative analysis based on the most recent population statistics (demographic information – Census Bureau, 2010 Census) for the City of Von Ormy (total population 1,085) demonstrates these minority contacts are below the general populations demographic estimates. The most recent data available (Census Bureau, 2010 Census) for the City of Von Ormy population demographics by ethnic or racial class suggests the percentage of African Americans within the overall population is 0.27% and 86.35% for Hispanic Americans. The remainder and majority of stops conducted were Caucasian and predominately male (394 male and 141 female).

Disposition of stops:

Disposition of stops made by officers includes the issuance of citations for violations totaling: 608 citations and 143 written warnings. Only 14 searches were conducted as a result of a vehicle stop; 10 stops that subsequently lead to a lawful citation for illegal drugs/drug paraphernalia possession, 3 stops that subsequently lead to a lawful citation for Alcohol related Citations. No racial profiling complaints were received by the department for the 2012 reporting period.



CITY MARSHAL
ISAAC J. GERAMI

VON ORMY CITY MARSHAL'S OFFICE

P.O. BOX 10
VON ORMY, TEXAS 78073
(210) 398-0496
CityMarshal@VonOrmyTexas.com



Adopted Racial Profiling Policy:

VOCM POLICY 2.2 BIAS BASED POLICING

I. POLICY

We are committed to a respect for constitutional rights in the performance of our duties. Our success is based on the respect we give to our communities, and the respect members of the community observe toward law enforcement. To this end, we shall exercise our sworn duties, responsibilities, and obligations in a manner that does not discriminate on the basis of race, sex, gender, national origin, ethnicity, age, or religion. All people carry biases: in law enforcement, however, the failure to control our biases can lead to illegal arrests, searches, and detentions, thus thwarting the mission of our department. Most importantly, actions guided by bias destroy the trust and respect essential for our mission to succeed. We live and work in communities very diverse in population: respect for diversity and equitable enforcement of the law are essential to our mission.

All enforcement actions, particularly stops of individuals (for traffic and other purposes), investigative detentions, arrests, searches and seizures of persons or property, shall be based on the standards of reasonable suspicion or probable cause as required by the Fourth Amendment to the U. S. Constitution and statutory authority. In all enforcement decisions, deputy city marshal shall be able to articulate specific facts, circumstances, and conclusions which support probable cause or reasonable suspicion for arrests, searches, seizures, and stops of individuals. Deputy City Marshal shall not stop, detain, arrest, search, or attempt to search anyone based solely upon the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. Deputy City Marshals shall base all such actions on a reasonable suspicion that the person or an occupant of a vehicle committed an offense.

All departmental orders are informed and guided by this directive. Nothing in this order limits non-enforcement contacts between deputy city marshals and the public.

II. PURPOSE

The purpose of this order is to provide general guidance on reducing the presence of bias in law enforcement actions, to identify key contexts in which bias may influence these actions, and emphasize the importance of the constitutional guidelines within which we operate.

III. DEFINITIONS

Most of the following terms appear in this order. In any case, these terms appear in the larger public discourse about alleged biased enforcement behavior and in other orders. These definitions are intended to facilitate on-going discussion and analysis of our enforcement practices.



CITY MARSHAL
ISAAC J. GERAMI

VON ORMY CITY MARSHAL'S OFFICE

P.O. BOX 10
VON ORMY, TEXAS 78073
(210) 398-0496
CityMarshal@VonOrmyTexas.com



- A. Bias: Prejudice or partiality which may be based on preconceived ideas, a person's upbringing, culture, experience, or education.
- B. Biased policing: Stopping, detaining, searching, or attempting to search, or using force against a person based upon his or her race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.
- C. Ethnicity: A cluster of characteristics which may include race but also cultural characteristics or traits which are shared by a group with a common experience or history.
- D. Gender: Unlike sex, a psychological classification based on cultural characteristics or traits.
- E. Probable cause: Facts or apparent facts and circumstances within a deputy city marshal's knowledge and of which the deputy city marshal had reasonable, trustworthy information to lead a reasonable person to believe that an offense has been or is being committed, and that the suspect has committed it.
- F. Race: A category of people of a particular decent, including Caucasian, African, Hispanic, Asian, or Native American descent. As distinct from ethnicity, race only refers to physical characteristics sufficiently distinctive to group people under a classification.
- G. 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.
- H. Reasonable suspicion: Articulable, objective facts which lead an experienced deputy city marshal to suspect that a person has committed, is committing, or may be about to commit a crime. A well-founded suspicion is based on the totality of the circumstances and does not exist unless it can be articulated. Reasonable suspicion supports a stop of a person. Courts require that stops based on reasonable suspicion be "objectively reasonable."
- I. Sex: A biological classification, male or female, based on physical and genetic characteristics.
- J. Stop: The detention of a subject for a brief period of time, based on reasonable suspicion. A stop is an investigative detention.

IV. PROCEDURES

- A. General responsibilities
 - 1. Deputy city marshals are prohibited from engaging in bias based profiling or stopping, detaining, searching, arresting, or taking any enforcement action including seizure or forfeiture activities, against any person based solely on the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. These characteristics, however, may form part of reasonable suspicion or probable cause when deputy city marshals are seeking a suspect with one or more of these attributes. (TBP: 2.01)



CITY MARSHAL
ISAAC J. GERAMI

VON ORMY CITY MARSHAL'S OFFICE

P.O. BOX 10
VON ORMY, TEXAS 78073
(210) 398-0496
CityMarshal@VonOrmyTexas.com



2. Reasonable suspicion or probable cause shall form the basis for any enforcement actions or decisions. Individuals shall only be subjected to stops, seizures, or detention upon reasonable suspicion that they have committed, are committing, or are about to commit an offense. Deputy City Marshals shall document the elements of reasonable suspicion and probable cause in appropriate reports.
3. Deputy City Marshals shall observe all constitutional safeguards and shall respect the constitutional rights of all persons.
 - a. As traffic stops furnish a primary source of bias-related complaints, deputy city marshals shall have a firm understanding of the warrantless searches allowed by law, particularly the use of consent. How the deputy city marshal disengages from a traffic stop may be crucial to a person's perception of fairness or discrimination.
 - b. Deputy City Marshals shall not use the refusal or lack of cooperation to justify a search of the person or vehicle or a prolonged detention once reasonable suspicion has been dispelled.
4. All personnel shall treat everyone with the same courtesy and respect that they would have others observe to department personnel. To this end, personnel are reminded that the exercise of courtesy and respect engenders a future willingness to cooperate with law enforcement.
 - a. Personnel shall facilitate an individual's access to other governmental services whenever possible, and shall actively provide referrals to other appropriate agencies.
 - b. All personnel shall courteously accept, document, and forward to the City Marshal any complaints made by an individual against the department. Further, deputy city marshals shall provide information on the complaints process and shall give copies of "How to Make a Complaint" when appropriate.
5. When feasible, personnel shall offer explanations of the reasons for enforcement actions or other decisions that bear on individual's well-being unless the explanation would undermine an investigation or jeopardize an officer's safety. When concluding an encounter, personnel shall thank him or her for cooperating.
6. When feasible, all personnel shall identify themselves by name. When a person requests the information, personnel shall give their departmental identification number, name of the immediate supervisor, or any other reasonable information.
7. All personnel are accountable for their actions. Personnel shall justify their actions when required.

B. Supervisory responsibilities



CITY MARSHAL
ISAAC J. GERAMI

VON ORMY CITY MARSHAL'S OFFICE

P.O. BOX 10
VON ORMY, TEXAS 78073
(210) 398-0496
CityMarshal@VonOrmyTexas.com



1. Supervisors shall be held accountable for the observance of constitutional safeguards during the performance of their duties. Supervisors shall identify and correct instances of bias in the work of their subordinates.
2. Supervisors shall use the disciplinary mechanisms of the department to ensure compliance with this order and the constitutional requirements of law enforcement.
3. Supervisors shall be mindful that in accounting for the actions and performance of subordinates, supervisors are key to maintaining community trust in law enforcement. Supervisors shall continually reinforce the ethic of impartial enforcement of the laws, and shall ensure that personnel, by their actions, maintain the community's trust in law enforcement.
4. Supervisors are reminded that biased enforcement of the laws engenders not only mistrust of law enforcement, but increases safety risks to personnel. Lack of control over bias also exposes the department to liability consequences. Supervisors shall be held accountable for repeated instances of biased enforcement of their subordinates.
5. Supervisors shall ensure that all enforcement actions are duly documented per departmental policy. Supervisors shall ensure that all reports show adequate documentation of reasonable suspicion and probable cause, if applicable.
6. Supervisors shall facilitate the filing of any complaints about law enforcement service.

C. Disciplinary consequence

Actions prohibited by this order shall be cause for disciplinary action, up to and including dismissal.

D. Training (TBP: 2.01)

1. Deputy city marshals shall complete all training required by state law regarding bias based profiling.

V. COMPLAINTS

- A. The department shall publish "How to Make a Complaint" folders and make them available at all city facilities and other public locations throughout the city. The department's complaint process and its bias based profiling policy will be posted on the department's website. Whenever possible, the media will be used to inform the public of the department's policy and complaint process.
- B. Complaints alleging incidents of bias based profiling will be fully investigated as described under Policy 2.4.
- C. Complainants will be notified of the results of the investigations when such investigation is completed.

VI. RECORD KEEPING



CITY MARSHAL
ISAAC J. GERAMI

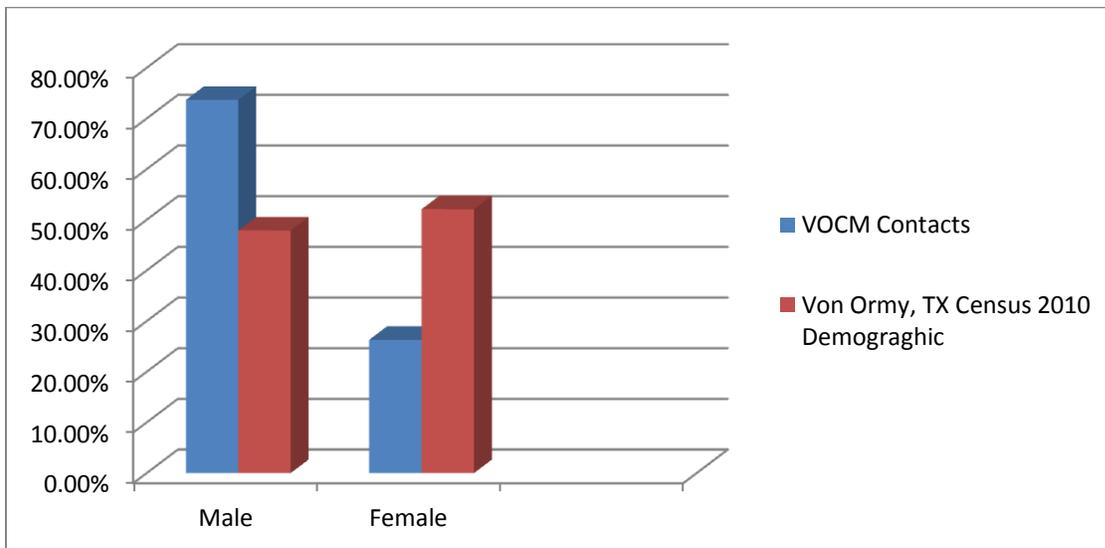
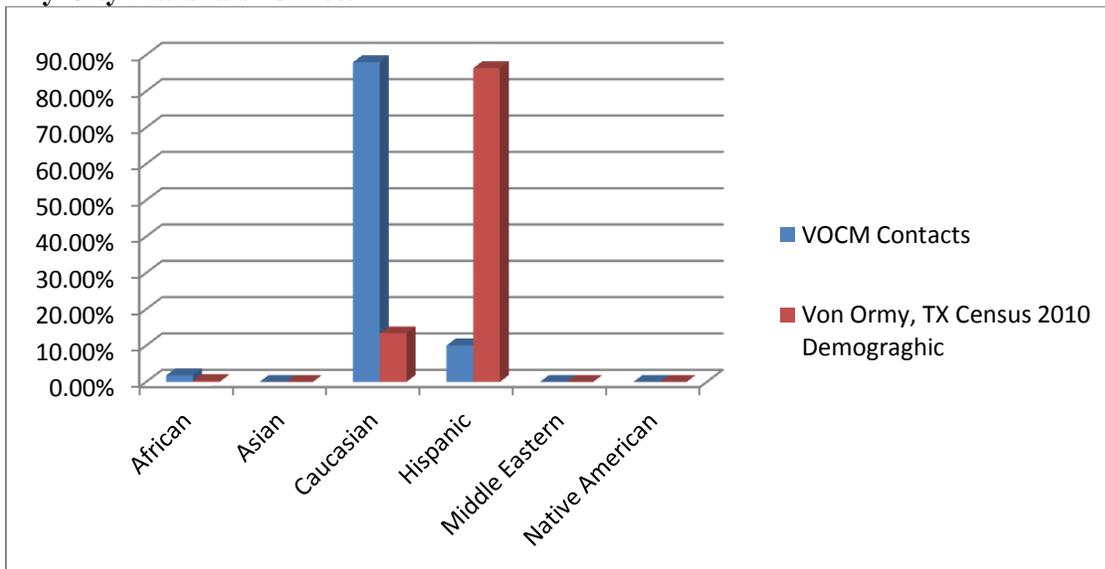
VON ORMY CITY MARSHAL'S OFFICE

P.O. BOX 10
VON ORMY, TEXAS 78073
(210) 398-0496
CityMarshal@VonOrmyTexas.com



- A. The department will maintain all required records on traffic stops where a citation is issued or where an arrest is made subsequent to a traffic stop pursuant to state law.
- B. The information collected above will be reported to the city council annually.
- C. The information will also be reported to TCLEOSE in the required format.

Graphs below reflect comparison between 2010 Census Data and Stops made by The Von Ormy City Marshals' Office.



Isaac J. Gerami
Chief Administrator/ City Marshal
Von Ormy City Marshals' Office
City of Von Ormy