THE · CITY · OF
COPPELL
TEXAS · 1890

Date: February 28, 2013

To: Coppell Mayor and City Council

From: Mac Tristan, Chief of Police

Subject: Annual Racial Profiling Statistical Report

In accordance with Texas Code of Criminal Procedure Art. 2.132 (7), the Coppell Police Department has collected information relating to the race or ethnicity of individuals stopped or issued citations or arrested for traffic violations and whether or not those individuals were searched. Art. 2.132 (7) further requires that a report be submitted in writing to the Commission on Law Enforcement Officer Standards and Education and to the governing body of the municipality served no later than March 1 of each year.

For the second straight year, the Coppell Police Department contracted with University of North Texas, Professional Development Institute to review our data and compose the Racial Profiling report. The intent was to provide an outside review of our data, our actions, and policies to further validate that we are in fact in compliance with the law. Page 2 of the attached report provides an Executive Summary with an overview of the findings and conclusions.

I believe there is value to analyzing motor vehicle stop data in relation to local and countywide demographics. Enclosed in this report are comparisons of motor vehicle stop data for local, county, and regional populations.

We have also attached supporting demographic data and charts to assist with analyzing information, the State of Texas Code of Criminal Procedure regarding racial profiling, and the Coppell Police Department racial profiling policy. It is also of note that the Coppell Police Department utilizes audio/visual recorders in all squad cars and on all motorcycles utilized for traffic contacts, as supported by the Texas Code of Criminal Procedure.

The Coppell Police Department has made every effort to comply with both the letter and the spirit of Code of Criminal Procedure Articles 2.132. We believe that we have achieved statutory compliance. The Coppell Police Department is committed to maintaining an agency that is free of the stigma of racially based or biased based profiling. We believe that the trust of the public is of primary importance in order for us to effectively police this community. There is no place for biased or racially motivated activity by any member of our agency. We are firm in our dedication to the principles of Constitutionally sound action, activities and behavior on the part of every employee.

COPPELL
POLICE DEPARTMENT

2012

RACIAL PROFILING ANALYSIS

PREPARED BY:

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Professional Development Institute
University of North Texas

Executive Summary

Article 2.132 (7) of the Texas Code of Criminal Procedure requires the annual reporting to the local governing body of data collected on the race or ethnicity of individuals stopped and issued citations or arrested for traffic violations and whether or not those individuals were searched. Since the law provides no clear instruction to a governing body on how to assess such data, the Coppell Police Department requested this analysis and review to assist the City Council in interpreting the data.

The analysis of material and data from the Coppell Police Department revealed the following:

- **A COMPREHENSIVE REVIEW OF THE COPPELL POLICE DEPARTMENT REGULATIONS, SPECIFICALLY GENERAL ORDER 100.003 AND SECTION XI OUTLINING THE DEPARTMENT'S POLICY CONCERNING RACIAL PROFILING, SHOWS THAT THE COPPELL POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.**

- **A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE COPPELL POLICE DEPARTMENT IS IN FULL COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.**

- **A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT IN BOTH PRINT AND ELECTRONIC FORM REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS AND PUBLIC EDUCATION ABOUT THE COMPLAINT PROCESS.**

- **ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.**

- **THE ANALYSIS OF STATISTICAL INFORMATION FROM COPPELL POLICE DEPARTMENT REVEALS THAT THERE ARE NO METHODOLOGICALLY CONCLUSIVE INDICATIONS OF SYSTEMIC RACIAL PROFILING BY THE DEPARTMENT.**

- **THE COPPELL POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW CONCERNING THE PROHIBITION OF RACIAL PROFILING.**

- **THE COPPELL POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW CONCERNING THE REPORTING OF INFORMATION TO TCLEOSE.**

Introduction

This report details an analysis of the Coppell Police Department's policies, training, and statistical information on racial profiling for the year 2012. This report has been prepared to comply with Article 2.132 of the Texas Code of Criminal Procedure (CCP) regarding the compilation and analysis of racial profiling data. Specifically, the analysis will address Articles 2.131 – 2.135 of the CCP and make a determination of the level of compliance with those articles by the Coppell Police Department in 2012. The full copies of the applicable laws and regulations pertaining to this report are contained in Appendix A.

This report is divided into six analytical sections:

1) Coppell Police Department's policy on racial profiling;
2) Coppell Police Department's training and education on racial profiling;
3) Coppell Police Department's complaint process and public education on racial profiling;
4) Analysis of statistical data on racial profiling;
5) Analysis of Coppell Police Department's compliance with applicable laws on racial profiling; and
6) Data and information reporting forms required to be sent to TCLEOSE beginning in 2011.

For the purposes of this report and analysis, the following definition of racial profiling is used: racial profiling means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity (Texas CCP Article 3.05).

Coppell Police Department Policy on Racial Profiling

A review of Coppell Police Department General Order 100.003 and Section XI (Racial Profiling) revealed that the department has adopted policies to comply with Article 2.132 of the Texas CCP (see Appendix B). There are seven specific requirements mandated by Article 2.132 that a law enforcement agency must address. All seven are clearly covered in General Order 100.003. Coppell Police Department regulations provide clear direction that any form of racial profiling is prohibited and that officers found engaging in inappropriate profiling may be disciplined up to and including termination. Appendix C lists the applicable statute and corresponding Coppell Police Department regulation.

A COMPREHENSIVE REVIEW OF COPPELL POLICE DEPARTMENT GENERAL ORDER 100.003 AND SECTION XI (RACIAL PROFILING) SHOWS THAT THE COPPELL POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.

Coppell Police Department Training and Education on Racial Profiling

Texas Occupation Code § 1701.253 and § 1701.402 require that curriculum be established and training certificates issued on racial profiling for all Texas Peace officers. Documentation provided by Coppell Police Department reveals that racial profiling training and certification did occur in 2012 and was provided to all officers requiring such training.

A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE COPPELL POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.

Coppell Police Department Complaint Process and Public Education on Racial Profiling

Article 2.132 §(b)3-4 of the Texas Code of Criminal Procedure requires that law enforcement agencies implement a complaint process on racial profiling and that the agency provide public education on the complaint process. Coppell Police Department General Order 100.003, Section XI-D, specifically covers this requirement. Moreover, the department has prepared a tri-fold pamphlet on the complaint process that is available in the lobby of the police department and on the Coppell Police Department's website (http://www.ci.coppell.tx.us/racial-profiling-policy.html). The pamphlet is clearly written, available in English and Spanish, and provides detailed information on the process and whom to contact to file a complaint.

A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT IN BOTH PRINT AND ELECTRONIC FORM REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS AND PUBLIC EDUCATION ABOUT THE COMPLAINT PROCESS.

Coppell Police Department Statistical Data on Racial Profiling

Article 2.132(b) 6 requires that law enforcement agencies collect statistical information on traffic stops in which a citation is issued and arrests with specific information on the race of the person cited. In addition, information concerning searches of persons and whether or not the search was based on consent is also required to be collected. Coppell Police Department submitted statistical information on all citations in 2012 and accompanying information on the race of the person cited. Relevant information on searches was also provided.

ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.

Analysis of the Data

The first chart depicts the percentages of people cited by race among the total 7,357 traffic contacts where a citation was given in 2012.[1] White drivers constituted 61.56 percent of all drivers cited, whereas Whites constitute 66.10 percent of the city population, 33.10 percent of the Dallas County population, 64.40 percent of the Denton County population, and 50.90 percent of the region population.[2] African-American drivers constituted 17.10 percent of all drivers cited,

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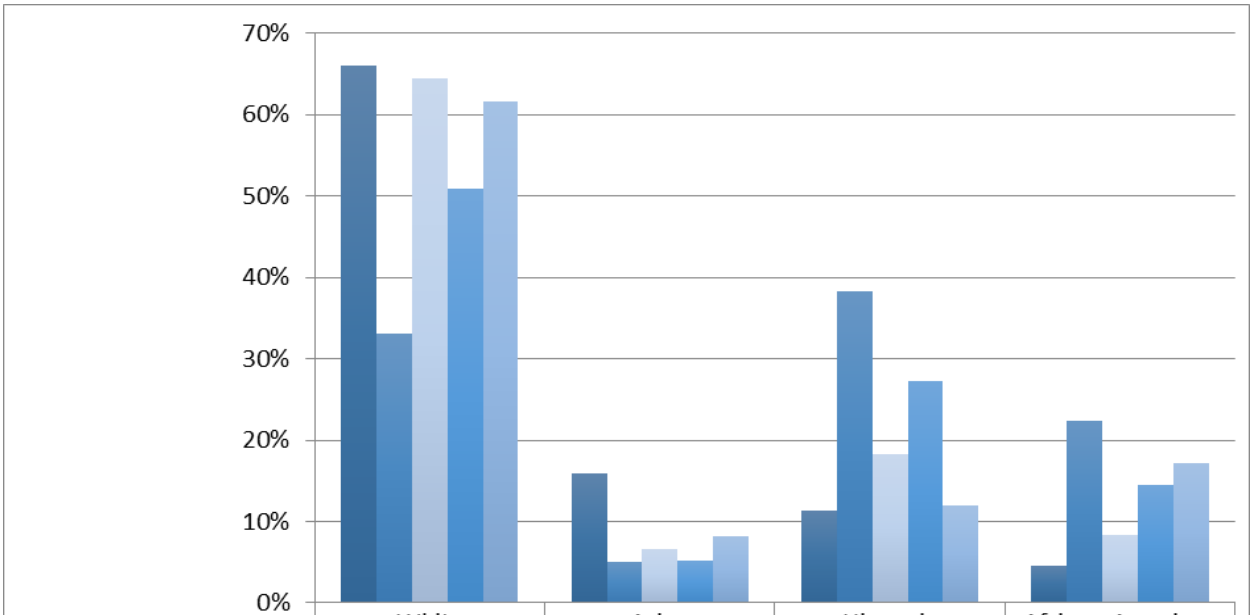
[1] There were a total of 85 citations given to citizens of Middle Eastern or Native American descent. These were not charted due to the small number of citations relative to the population of Coppell. This report utilizes the term "citations" to include both the total number of citations (6,929) plus the total number of arrests (285) plus both arrest and citation (143) as indicated on the TCLEOSE reporting forms near the end of this report.

[2] City and County populations were derived from the 2010 Census of the U.S. Census Bureau. Note that the City of Coppell is found within both Denton and Dallas counties and both population base-rates were utilized in this report. Regional population figures were derived from 2010 Census data compiled and published by the North Central

whereas African-Americans constituted 4.50 percent of the city population, 22.30 percent of the Dallas County population, 8.40 percent of the Denton County population, and 14.50 percent of the region population. Hispanic drivers constituted 11.96 percent of all drivers cited, whereas Hispanics constituted 11.30 percent of the city population, 38.30 percent of the Dallas County population, 18.20 percent of the Denton County population, and 27.30 percent of the region population. Asian drivers constituted 8.22 percent of all drivers cited, whereas Asians constituted 15.90 percent of the city population, 5.00 percent of the Dallas County population, 6.60 percent of the Denton County population, and 5.20 percent of the region population.



	White	Asian	Hispanic	African-American
% City Population	66.10%	15.90%	11.30%	4.50%
% Dallas County	33.10%	5.00%	38.30%	22.30%
% Denton County	64.40%	6.60%	18.20%	8.40%
% Region Population	50.90%	5.20%	27.30%	14.50%
% Total Citations	61.56%	8.22%	11.96%	17.10%

The chart shows that White drivers are cited at rates higher than the percentage of Whites in the region and Dallas County population, but slightly lower than the percentage of Whites in the city and Denton County population. African-Americans are cited at rates higher than the percentage of African-Americans found in the city, Denton County, and regional population, but lower than the percentage of African-Americans found in the Dallas County population. Hispanics are cited at rates lower than the percentage of Hispanics found in the Dallas County, Denton County, and regional populations but slightly higher than the percentage of Hispanics in the city population. Asians are cited at rates lower than the percentage of Asians in the city population, but higher than the percentage of Asians in the Dallas and Denton County populations and the regional population.

Texas Council of Governments which is defined as the 16 county Dallas-Ft. Worth Area including the following counties: Collin, Dallas, Denton, Ellis, Erath, Hood, Hunt, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rockwall, Somervell, Tarrant, and Wise.

Easy determinations regarding whether or not Coppell officers have “racially profiled" a given motorist are impossible given the nature of the data that has been collected and presented for this report. The law dictates that police agencies compile aggregate-level data regarding the *rates* at which agencies *collectively* stop motorists in terms of their race/ethnicity. These aggregated data are to be subsequently analyzed in order to determine whether or not *individual* officers are “racially profiling" motorists.

This methodological error, commonly referred to as the "ecological fallacy," defines the dangers involved in making assertions about individual officer decisions based on the examination of aggregate incident level data. In short, one cannot "prove" that an *individual* officer has “racially profiled" any *individual* motorist based on the rate at which a department stops any given *group* of motorists. This kind of determination necessarily requires an examination of data at the individual officer level for a more detailed analysis of individual officer decision-making. Unfortunately, the law does not currently require the collection of this type of data, resulting in a considerable amount of conjecture as to the substantive meaning of aggregate level disparities.

Additional interpretation problems remain in regards to the specific measurement of racial "profiling" as defined by Texas state code. For example, officers are currently forced to make subjective determinations regarding an individual's race based on his or her personal observations because the Texas Department of Public Safety does not provide an objectively-based determination of an individual's race/ethnicity on the Texas driver's license. The absence of any verifiable race/ethnicity data on the driver's license is especially troubling given the racial diversity within the North Texas region as a whole, and the large numbers of citizens who are of Hispanic and/or mixed racial descent. The validity of any racial/ethnic disparities discovered in the aggregate level data becomes threatened in direct proportion to the number of subjective "guesses" officers are forced to make when trying to determine an individual's racial/ethnic background.

In addition, the data collected for the current report does not allow for an analysis that separates (or disaggregates) the discretionary decisions of officers to stop a motorist from those that are largely non-discretionary. For example, non-discretionary stops of motorists based on the discovery of outstanding warrants should not be analyzed in terms of whether or not "profiling" has occurred simply because the officer who has stopped a motorist as a result of the discovery of an outstanding warrant does not *independently* make the decision to stop, but rather, is required to stop that individual regardless of any determination of race. An officer cannot be determined to be “racially profiling" when organizational rules and state codes compel them to stop regardless of an individual's race/ethnicity. Straightforward aggregate comparisons of stop rates ignore these realities, and fail to distinguish between discretionary and non-discretionary law enforcement actions. In the future, this validity issue could be lessened by the collection of data indicating the initial reason for the traffic stop, whether it be an observed traffic violation, other criminal activity, the existence of an outstanding warrant, or some other reason.

Finally, there has been considerable debate as to what the most appropriate population "base-rate" is in determining whether or not racial/ethnic disparities exist. Questions concerning the most appropriate base-rate are most problematic in the case of traffic stops, because there are problems associated with using any number of different population measures to determine whether or not aggregate level racial disparities exist. As the current analysis shows in regards to the use of city, county, and regional base-rates, the outcome of analyses designed to determine

whether or not disparities exist is obviously dependent on which base-rate is used. This is especially relevant for the City of Coppell which straddles two different Texas counties with quite different population demographics. In addition, changes in the demographic character of North Texas have made the base-rate issue especially problematic because measures derived exclusively from the U.S. Census can become quickly outdated since they are compiled only once per decade. Although the 2010 Census data is useful for this report, it will too become quickly outdated due to the rapid changes still being experienced in the North Texas region. Moreover, the determination of valid stop base-rates becomes multiplied if analyses fail to distinguish between residents and non-residents who are stopped, because the existence of significant proportions of non-resident stops will lead to invalid conclusions if racial/ethnic comparisons are made exclusively to resident population figures.

In short, the methodological problems outlined above point to the limited utility of using aggregate level comparisons of the rates at which different racial/ethnic groups are cited in order to determine whether or not racial profiling exists within a given jurisdiction.

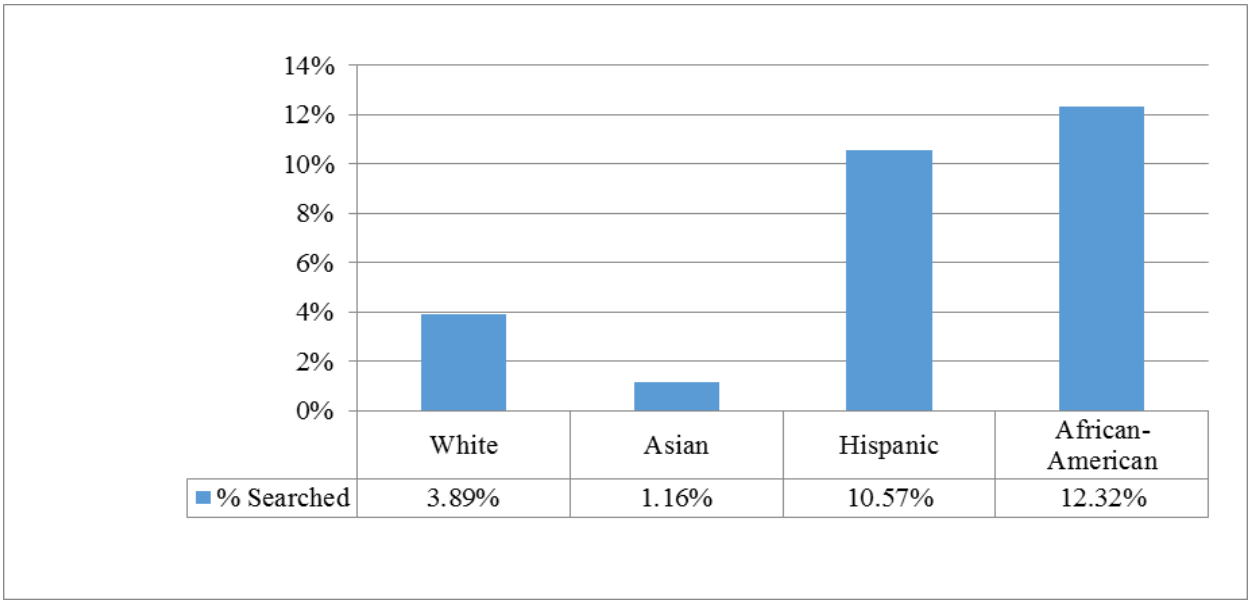
The table below reports the summaries for the total number of persons cited by the Coppell Police Department for traffic offenses in 2012. In addition, the table shows the number of cited individuals who granted consent to search and those cited drivers who were arrested pursuant to the stop. The table shows that roughly 62 percent of all persons cited were White drivers (4,529/7,357 total citations), roughly 17 percent (1,258) of all persons cited were African-American drivers, roughly 12 percent (880) of all persons cited were Hispanic drivers, and roughly 8 percent (605) of all persons cited were Asian drivers. In addition, roughly 39 percent of all drivers searched were White (176/446), roughly 21 percent were Hispanic, less than 2 percent were Asian, and roughly 35 percent were African-American. It is clear that the vast majority of the total number of drivers cited (including White, African-American, and Hispanic groups) were not searched (94%) (446/7,357).

Action	White	African-American	Hispanic	Asian	Other	Total
Stops	4,529	1,258	880	605	85	7,357
Searches	176	155	93	7	15	446
Consent Searches	17	13	2	1	0	33
Arrests	165	146	100	10	7	428

It should be noted that aggregate level comparisons regarding the rates at which drivers are searched by police are subject to some of the same methodological issues as those outlined above regarding analyses of aggregate level stop rates. Of particular concern is the absence of any analyses that separates discretionary searches from non-discretionary searches. For example, searches that are conducted incident to an arrest or as part of a vehicle tow inventory should not be included in analyses designed to examine whether or not racial profiling has occurred because

these types of searches are non-discretionary in that the officer is compelled by law or departmental guidelines to conduct the search irrespective of the race of the stopped driver.

The bar chart below depicts the percentage of cited drivers who were searched *within* each racial category. The chart indicates that drivers who were cited were rarely searched across the racial categories. For example, only 3.89 percent of all White drivers who were cited were also searched, 1.16 percent of all Asian drivers who were cited were searched, 10.57 percent of all Hispanic drivers who were cited were searched, and 12.32 percent of all African-American drivers who were cited were searched. Relative to consent searches, only 33 consent searches occurred among the 7,357 stops in 2012.



Analysis of Racial Profiling Compliance by Coppell Police Department

The foregoing analysis shows that the Coppell Police Department is fully in compliance with all relevant Texas laws concerning racial profiling, including the existence of a formal policy prohibiting racial profiling by its officers, officer training and educational programs, a formalized complaint process, and the collection of data in compliance with the law. Finally, internal records indicate that during 2012 the department received one complaint that could be categorized as involving some type of racial profiling. Upon internal investigation, the resolution of the incident was deemed "proper conduct."

In addition to providing summary reports and analysis of the data collected by the Coppell Police Department in 2012, this report also included an extensive presentation of some of the limitations involved in the level of data collection currently required by law and the methodological problems associated with analyzing such data for the Coppell Police Department as well as police agencies across Texas. The Coppell Police Department should continue its educational and training efforts within the department on racial profiling. Finally, the department should continue to conduct periodic evaluations of individual officers to assess whether or not an officer is engaging in racial profiling (e.g., continue the random review of

patrol vehicle videos on a monthly basis). The final section of this report includes newly required TCLEOSE reporting information by Texas law enforcement organizations.

Coppell Police Department TCLEOSE Reporting Forms

Partial Exemption Racial Profiling Reporting
(Tier 1)

Department Name	Coppell Police Department
Agency Number	113207
Chief Administrator Name	Macario Tristan, Chief of Police
Reporting Name	Capt. James Cook
Contact Number	972-304-3610
E-mail Addess	jcook@coppelltx.gov

Certification to Report 2.132 (Tier 1) – Partial Exemption

Policy Requirements (2.132(b) CCP):
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 motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
  (A) the race or ethnicity of the individual detained;
  (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
  (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
  (A) the Commission on Law Enforcement Officer Standards and Education; and
  (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

These polices are in effect

M. T. 2-11-13

Chief Administrator Date

Partial Exemption Racial Profiling Reporting
(Tier 1)

Video and Audio Equipment Exemption

Partial Exemption Claimed by (2.135(a) CCP):

☑ all cars regularly used for motor vehicle stops are equipped with video camera and transmitter-activated equipment and each motor stop is recorded and the recording of the stop is retained for at least 90 days after the stop.

OR

☐ In accordance with 2.135(a)(2) the agency has requested and not received funds to install the recording equipment

I claim this exemption

M. T. 2-18-13

Chief Administrator Date

PARTIAL EXEMPTION RACIAL PROFILING REPORTING (TIER 1)

INSTRUCTIONS: Please fill out all boxes. If zero, use 0.

1. **Total on lines 4, 11, 14, and 17 <u>must</u> be equal**
2. **Total on line 20 <u>must</u> equal line 15**

AGENCY NAME:

Number of motor vehicle stops (mark only 1 category per vehicle stop):

1. 6929 Citation only
2. 285 Arrest only
3. 143 Both

4. _____ (Total of 1-3)

Race or Ethnicity (mark only 1 category per vehicle stop):

5. 1258 African
6. 605 Asian
7. 4529 Caucasian
8. 880 Hispanic
9. 84 Middle Eastern
10. 1 Native American

11. _____ (Total of 5-10, must be the same as #4)

Race or Ethnicity known prior to stop?

12. 579 Yes
13. 6778 No

14. _____ (Total of 12-13, must be the same as #4 and #11)

Search conducted?

15. 446 Yes
16. 6911 No

17. _____ (Total of 15-16, must be the same as #4, #11, and #14 above)

Was search consented?

18. 33 Yes
19. 413 No

20. _____ (Total, must equal #15)

Partial Exemption Racial Profiling Reporting
(Tier 1)

Option to submit required data by utilizing agency report

You must submit your report in PDF format

Electronic Submission of data required by 2.132(b)(6) CCP

(6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:

(A) the race or ethnicity of the individual detained;

(B) whether a search was conducted and, if so, whether the individual detained consented to the search; and

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

This report meets the above requirements

M. TL 2.11-13

Chief Administrator Date

Send entire documents electronically to this website

www.tcleose.state.tx.us

Appendix A
Racial Profiling Statutes and Laws

Art. 3.05. RACIAL PROFILING.

In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 2, eff. Sept. 1, 2001.

Art. 2.131. RACIAL PROFILING PROHIBITED.

A peace officer may not engage in racial profiling.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 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 motor vehicle stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern 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 motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:

(A) the race or ethnicity of the individual detained;

(B) whether a search was conducted and, if so, whether the individual detained consented to the search; and

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

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

(A) the Commission on Law Enforcement Officer Standards and Education; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(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 motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle 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 motor vehicle 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.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.
Amended by: Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 25, eff. September 1, 2009.

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS.

(a) In this article, "race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is 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 initial reason for the stop;

(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 or other evidence was discovered in the course of the search and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

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

(8) whether the officer issued a written warning or a citation as a result of the stop.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.
Amended by: Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 26, eff. September 1, 2009.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article:

(1) "Motor vehicle stop" has the meaning assigned by Article 2.132(a).

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

(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 law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education

and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

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

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; and

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; 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 motor vehicle 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, in accordance with Section 1701.162, Occupations Code, 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.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 27, eff. September 1, 2009.

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT.

(a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, 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 motor vehicle stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle 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 motor vehicle 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 motor vehicle 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.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.
Amended by: Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 28, eff. September 1, 2009.

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 Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 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 Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.138. RULES.

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

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.1385. CIVIL PENALTY.

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of $1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based data as required by Article 2.134 shall remit to the comptroller the amount of $1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

Added by Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 29, eff. September 1, 2009.

Appendix B

COPPELL POLICE DEPARTMENT GENERAL ORDER 100.003 INCLUDING CPD WEBSITE AND COMPLAINT BROCHURES

COPPELL POLICE DEPARTMENT

GENERAL ORDER NO. 100.003	EFFECTIVE DATE: 06-30-95	REVISED DATE: 09-04-12

SUBJECT: **CODE OF CONDUCT**

I. PURPOSE / POLICY OF GENERAL ORDER

A. PURPOSE. The purpose of this General Order is to officially adopt and set forth rules and regulations for the guidance, regulation, and control of the conduct of all members of the Coppell Police Department. Employees of the Police Department are among the most conspicuous representatives of City government and to the majority of the people, they are symbols of stability and security upon whom they rely. The conduct of employees of the Department is closely scrutinized, and when actions are found to be excessive, unwarranted or unjustified, they are criticized far more severely than comparable conduct of persons in other walks of life. Since the employee's conduct both on and off duty may reflect directly upon the Department, employees will conduct themselves in a manner which does not bring discredit upon themselves, the Department or the City and which exhibits the highest degree of professionalism. Therefore, this Code of Conduct is designed to promote professional behavior, efficiency, discipline, and good public relations by setting forth policies governing the conduct of all employees of the Police Department.

II. AUTHORITY OF CODE

A. AMENDMENTS / POWER OF DISCIPLINARY ACTION. These rules and regulations may be amended from time to time by the Chief of Police as necessary for the efficient operation of the Department. The Chief of Police shall have the authority to take disciplinary action or removal of a member under his supervision or jurisdiction for violation of this Code or other Department rules and regulations.

B. APPLICABILITY TO MEMBERS. This General Order shall apply to all members, whether sworn or civilian, unless specifically stated otherwise, or unless a certain portion obviously would not apply to a particular group of employees.

C. CONFLICT WITH EXISTING LAWS. No procedure, regulation, section, sentence, clause, or phrase as provided herein is to be construed to be in conflict with any law, ordinance, or policy of the United States or the State of Texas.

D. SEVERABILITY. If any procedure, regulation, section, sentence, clause, or phrase of this Code is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Code.

E. RESPONSIBILITY OF MEMBERS. Each member of the Coppell Police Department shall have unlimited access to the Coppell Police Department's Manual of Written Directives containing this General Order of rules and regulations of the Department and other general/special orders, and without exception, shall be governed thereby. Each member will acknowledge such access to the manual by placing his signature on the acknowledgement form provided.

1. Access to the Manual of Written Directives will be provided through access to a shared computer drive. This shall always be the most current and in-effect version.

2. Members may be issued the Manual of Written Directives in written or portable digital format, however members should always defer to the most current version on the shared computer drive.

3. Members shall return all copies of the Manual of Directives upon termination of employment.

F. IGNORANCE OF POLICY. Ignorance of any policy, rule or regulation, order or directive, shall neither be an excuse nor serve as a defense for violation or failure to comply therewith.

G. APPEAL / GRIEVANCE PROCESS. Appeals or grievances by members shall be conducted in accordance with established Department procedures and/or City procedures as outlined in the City of Coppell Employee Policy and Procedure Handbook.

III. PROFESSIONAL ETHICS - The Law Enforcement Code of Ethics

The Law Enforcement Code of Ethics (refer to Coppell Police Department General Order entitled "Law Enforcement Code of Ethics") as adopted by the International Association of Chief of Police (I.A.C.P.) has been adopted by the Coppell Police Department as a statement of its official Code of Conduct with respect to the standard of ethical conduct for all Department members. Violations of this Code of Ethics shall be deemed a violation of the Code of Conduct of the Department.

IV. SCOPE

A. The provisions of the Code of Conduct are observed by all employees of the Department in order to maintain the confidence, respect, and support of the public.

B. Violations of the Code of Conduct, the City of Coppell personnel rules, Departmental rules, general orders, regulations, policies, directives issued with proper authority, ordinances of the City of Coppell, and/or laws of the State of Texas or the United States, subject the offender to disciplinary actions. Action taken will depend on the degree of severity of the offense, the record of the offender, and the seriousness of the consequences of the violation.

C. Disciplinary action under the code is in accordance with City of Coppell Employee Policy and Procedure Handbook. All disciplinary actions are based on substantial evidence; however, "proof beyond a reasonable doubt" is not required.

D. It is the duty of all employees to take appropriate corrective action and/or submit a written report to their immediate supervisor when they learn through personal observations or report of a violation of law or regulatory decree set down in Section B.

1. In cases where the employee experiences or fears intimidation, or in the case when the violation involves the employee's immediate supervisor, the reporting employee may report to any member of their chain of command, up to and including the Chief of Police.

E. Pursuant to the authority granted by Article 4, Section 4.02 of the Coppell City Charter, the Chief of Police has the exclusive right to suspend any employee who is under his jurisdiction and control for incompetence, neglect of duty, immorality, drunkenness, the improper use of any substance that modifies behavior, and/or failure to obey orders given by proper authority or the orders, rules, regulations, and policies promulgated by the Chief of Police of the City of Coppell. The Chief, with approval of City Manager, may terminate employees for the above noted violations.

F. Members of the Police Department who are in a probationary status may be terminated from employment by the Chief of Police, with the approval of the City Manager, when they fail to meet the minimum standards of employee performance or when they violate a law or regulatory decree announced in this Code.

G. Employees do not procure appointment in the Department by means of misrepresentation or omission of any facts concerning his/her personal history, qualifications for employment, or physical condition.

1. Discovery of such misrepresentation or omission after employment are grounds for termination as outlined in sections E. and F.

H. Any employee who, by an act or conduct, attempts to violate or conspires with any person to violate a law, rule, regulation, policy, or directive issued with proper authority is subject to the same discipline as though the actual violation had been accomplished.

V. APPEARANCE, UNIFORM, AND EQUIPMENT

A. Employees of the City of Coppell shall present a "neutral image" to effectively relate to all segments of the population they serve. Societal interest demands highly trained personnel who demonstrate disciplined conduct, regimentation, and strict adherence to regulation and authorized detail. Therefore, employees are subject to, and comply with, the uniform and appearance standards prescribed by the Chief of Police.

B. Uniforms are kept neat, clean, in good repair, and well pressed at all times. While wearing the uniform, all officers maintain a military bearing, avoiding mannerisms such as slouching and shuffling.

C. Normally, officers and employees who are required to wear civilian clothing do so in a manner that is complimentary to the individual and generally acceptable in the business community. Command Staff Officers may authorize other clothing or uniform depending upon the employee's job assignment.

D. The police officer normally wears a uniform on a tour of duty. However, commanding officers may authorize other clothing to be worn as required by the nature of duty to which the particular officer is assigned.

E. When an officer is in uniform, the complete uniform, including duty belt, is worn at all times in the prescribed manner. The cap is optional. Uniform items are those furnished by, or authorized by, the Department. No part of the uniform is worn with civilian clothing or vice-versa.

F. Officers who are placed on suspension will immediately surrender their badges, identification card and Departmental issued firearm to the commanding officer notifying the offender of suspension.

G. Badges personally owned by officers are not to be used in the performance of official duties or any other purpose without specific permission of the Chief of Police. Only the Chief of Police may authorize the purchase of personally owned badges.

H. Improper or negligent handling of or willful damage to city property is a violation of this Code.

I. Employees who have lost, damaged, or destroyed any equipment issued to them by the Department may be required to make restitution if the loss or damage is the result of conduct described in Section H..

J. Employees promptly report the need for repairs of any city-owned property issued to, used, or possessed by them to the city department officially charged with the maintenance of such property.

K. Employees do not alter, make substantial repairs to, or in any way change, add to, or remove any parts or accessories of any city-owned property without permission of the Chief of Police. This includes, but is not limited to, buildings, office equipment, or motor vehicles. This is not to be interpreted to preclude officers from having minor repairs made to vehicles or other essential equipment to enable the equipment's continued use on duty.

L. Employees do not convert or use Departmental equipment for personal advantage outside the scope of their own employment. Police identification cards issued to an employee will not be used by or given to any other person.

VI. PROFESSIONAL CONDUCT AND PERSONAL BEAR

A. Dereliction of duty on the part of any employee, detrimental to the proper performance of the functions of the Department is cause for disciplinary action. The offender is punished according to the degree of severity of the violation, the results brought about by the dereliction, and the effect it has upon the discipline, good order, and best interest of the Department. Although not inclusive, the following subsections constitute dereliction of duty:

1. Failure of a supervisor or commander to immediately take action when a violation of the policies, rules, or regulations comes to their attention, regardless of the supervisor's or violator's assignment or rank within the Department.

2. Failure to observe and give effect to the rules, regulations, policies, or other directives issued by proper authority of the Department.

3. Failure to deliver to the official departmental custodian all property found, confiscated by, or relinquished to members of the Coppell Police Department without undue delay and, in any event, before their tour of duty ended.

4. Failure to place evidence in its officially designated place for preservation and storage.

5. Failure to give name and badge number to any person upon request.

6. To be under the influence of drugs or to be a user of drugs when such drugs are not prescribed by a physician or dentist or to take drugs in a manner not prescribed by a physician or dentist.

7. Unnecessary violence or abuse toward any person.

8. Disrespect shown to a civilian supervisor, supervisory officer, commanding officer, or subordinate.

9. Use of indecent, profane, or harsh language in the performance of official duties.

10. To accept, agree to accept, or solicit a bribe. (A bribe shall be defined as a gift, emolument, money, thing of value, testimonial, appointment, personal advantage, or the promise of solicitation of same <u>for the purpose of obtaining special privileges or personal gain by the donor or other person</u>).

11. Sworn members who show cowardice or failure to perform police duties because of danger.

12. To malinger or feign incapacitation so as to avoid duty or work.

B. Each member of the Department conducts himself or herself, both on and off duty, in such a manner so as to not bring public disrepute or discredit upon the member or the Department or impairs the operation or the efficiency of the Department or member.

C. Employees treat superiors, subordinates, and associates with respect. Every employee is courteous and civil at all times in their relationship with others. When on duty in the presence of other members, or the public, officers are referred to by rank.

D. Employees do not publicly criticize or ridicule the Department, its policies, or other employees by talking, writing, or expressing in a manner which:

1. Is defamatory.

2. Is obscene.

3. Is unlawful.

4. Tends to impair the operation of the Department by interfering with its efficiency, by interfering with the ability of supervisors to maintain discipline, or by a reckless disregard for the truth.

E. Employees do not, at any time, ridicule, mock, deride, taunt, or belittle any person. Neither do they willfully embarrass, humiliate, or shame any person nor do anything that might incite any person to violence.

F. Employees do not conduct themselves in the offices of buildings of the Department or in any public place in a manner which would discredit the police service.

G. Members of this Department do not engage in any form of gambling in the police locker rooms, assembly rooms, or any other city facility.

H. Employees do not engage in the playing of pranks while on duty.

I. The soliciting of any fund, money, loan, fee, reward, or gratuity from other than the legal institutions established for that purpose must receive prior approval from the Chief of Police.

J. Employees do not accept, either directly or indirectly, any gift, gratuity, reward, fee, loan, discount rate, rebate, or special consideration arising from or offered because of police employment or any activity connected with such employment that might reasonably tend to influence their discharge of official duties.

K. Employees do not receive rewards, gifts, favors, money, or gratuities from members junior in rank without the express written permission of the Chief of Police.

L. The buying and selling of anything to or from any complainant, suspect, witness, defendant, prisoner, or other person involved in any ongoing police-related activity which has come to the employee's attention is not permissible. Neither can the employee act as intermediary in payment of reward for the return of stolen property without prior authorization by the Chief of Police.

M. Any reward, money, or fee paid or sent to any employee shall be promptly turned in by that employee to the Chief of Police.

N. Employees report any circumstances or event which may affect the efficient operation of the Department or its members through their chain of command so long as it is reasonable. (Exceptions for reporting certain types of violations are set out elsewhere in this manual.)

O. Any employee who is arrested or cited for any criminal (non-traffic) offense, or arrested for any traffic offense, will immediately (but no later than 12 hours) report such arrest or citation to their immediate supervisor or the on-call staff officer. This includes any offense within or outside the State of Texas.

P. Any employee cited for a traffic offense shall immediately report such citation to their supervisor at their next regularly scheduled duty shift. This includes any offense within or outside the State of Texas.

VII. RESPONSIBILITIES AND GENERAL CONDUCT ON DUTY

A. All personnel, prior to assuming sworn status and conducting law enforcing duties for the Coppell Police Department, must take an oath of office to enforce the law and to uphold the Constitution of the United States and that of the State of Texas.

B. For the purposes of protecting life and property, officers are always considered on duty while in the City of Coppell and are prepared to act anytime circumstances indicate their services are required.

C. Employees will respond without delay to all calls for police service from citizens or any individual needing assistance from the Police Department. Emergency calls take precedence; however, all calls are answered as soon as possible consistent with established policies and traffic laws. Except under the most extraordinary circumstances or when otherwise directed by competent authority, no officer fails to answer any call for service. Within the City of Coppell officers take appropriate action to:

1. Protect life and property.

2. Preserve the peace.

3. Prevent crime.

4. Detect and arrest violators of the law.

5. Enforce all federal, state, and local laws and ordinances coming within Departmental jurisdiction.

   a. The above is not to be construed to include enforcement of laws of a Class C misdemeanor nature or traffic enforcement when out of uniform and not on duty.

6. Answer all citizens' questions and/or direct them to a source to obtain an answer to their question.

D. The ranking on-duty supervisor at the scene of any police incident is in charge and responsible for the proper conclusion of that incident until relieved by a higher ranking officer. In the absence of a supervisor, the senior officer remains at the scene until such time as the incident is under control, is being properly handled in accordance with existing policies, and sufficient instructions have been issued to result in the proper conclusion of that incident.

E. Employees respond to the lawful orders of superior members and other proper authorities as well as requests for police assistance from citizens. The administrative delegation of the enforcement of certain laws and ordinances to particular units of the Department does not relieve officers of other units from the

responsibility of taking prompt, effective police action within the scope of those laws and ordinances when the occasion so requires. Officers assigned to special duty are not relieved from taking enforcement action outside the scope of their specialized assignment when necessary. All members perform their duties as required or directed by law, Department rule, policy, procedure, or by order of a superior member, whether it is a direct order or one relayed through an employee of same or lesser rank.

F. In the event that an employee receives an order conflicting with previous commands, rules, policies, or directives, the employee shall respectfully call the conflicting order to the attention of the superior officer giving the order. Should the superior officer not change the order, it shall be obeyed. The employee, in this circumstance, shall not be held responsible for disobedience of the first order.

G. Officers are required to take appropriate action to aid a fellow peace officer exposed to danger or in a situation where danger might be impending.

H. The Chief of Police has the authority to regulate the working hours of all employees, and may call the employee to duty regardless of the regular working hours assigned to that employee. No employee may be absent without leave. (Absence without leave means that without proper authorization, the employee fails to report for duty at the time and place of duty or leaves a place of duty or assignment.)

I. Unless otherwise directed, officers report to daily roll call briefing at the time and place specified wearing the proper uniform and equipment. Careful attention is given to orders and instructions. It is the responsibility of each employee assigned to a shift, who cannot report for duty due to illness, to notify an on-duty supervisor or commanding officer at least two hours prior to their reporting time. (Personnel working from 8 to 5 must notify their supervisor within 30 minutes after the work day begins.)

1. Employees report for training at the time and place specified wearing the appropriate attire for the training. Employees who cannot report for training due to illness will make every effort to contact the coordinator of the training prior to the start of the training assignment. The employee will also notify the on-duty supervisor or commanding officer prior to the start of the scheduled training assignment and advise them if they were successful in contacting the coordinator of the training. The on-duty supervisor or commanding officer will notify the coordinator if necessary.

J. After two incidents of unexcused tardiness, the supervisor will deal with it as a performance issue and utilize the options available to him through progressive discipline.

K. Non-exempt sworn or non-sworn personnel may be required to work extra hours in addition to their regular work day or work week when an emergency exists. (Personnel shortages can be considered an emergency.) All time worked will be paid in accordance with current overtime and/or compensatory time policies and within Fair Labor Standard Guidelines.

L. To achieve effective direction, coordination, and control, supervisory personnel will be accountable for the performance of employees under their immediate control.

M. Employees remain alert, observant, and occupied with departmental business during their tour of duty. When on duty, employees devote their entire time and attention to the business of the Department. Employees are prohibited from engaging in the following activities while on duty:

1. Sleeping, loafing, or idling.

2. Recreational reading or studying (except at meals).

3. Carrying any article which distracts from the proper performance of their duty.

4. Drinking intoxicating beverages (except in performance of a police duty, and then only with the specific consent of a command rank officer, and never in uniform).

5. Gambling (except in performance of a police duty, and then only with the specific consent of a command rank officer, and never in uniform).

6. Any sexual conduct.

N. Employees are prohibited from following any other vocation which conflicts or interferes with their responsibility to the Department. Officers request prior permission from the Chief of Police to engage in off-duty employment or business activities. Officers are prohibited from holding a deputation or commission from any other law enforcement agency.

O. Employees promptly (prior to the end of their shift) submit all reports, records, citations, or other materials which are required by the performance of their duties or by competent authority.

P. Officers obtain prior approval of their supervisor before initiating surveillance or an undercover investigation.

Q. Members, who have not been authorized by their supervisor, shall not go beyond the municipal limits while on duty unless in the performance of actual police duty.

R. Employees never bring or keep any intoxicating liquor or beverage in departmental facilities or vehicles, except that liquor or intoxicants brought to departmental facilities in the furtherance of a police task, and these are promptly identified and stored according to policy.

S. Employees never become intoxicated while on duty nor consume intoxicants while off duty to the extent that evidence of such consumption is apparent when reporting for duty or to the extent their job performance is impaired. Officers in uniform never purchase or consume any form of intoxicants.

T. Officers on duty or in uniform do not enter taverns, theaters, or other public places except to perform a police service. Loitering and unnecessary conversation in such locations is forbidden.

U. No expenditure of money is made or financial liability incurred in the name of the City of Coppell or the Department unless authorized by the Chief of Police.

V. Employees do not permit any person to enter a police facility whose purpose is to offer goods and/or services for sale, canvass, or solicit for any purpose without permission of the Chief of Police.

W. If members are absent from duty from their regular department duties because of sick leave or injury, they shall not be allowed to work outside employment until the completion of their next regular tour of duty. (Matches Off Duty Policy)

X. Employees will furnish the Department with their current home or primary contact telephone number and address within 24 hours if changed, in the form of a memo to their supervisor.

Y. AVAILABILITY

1. Employees shall be available for contact via their department issued cell phone when they will not be readily available for contact via their home or primary contact telephone number.

2. Employees are required to return any missed call from any supervisor of the Department within a reasonable amount of time.

3. Employees receiving a text message from the Department shall follow the directions provided in that message with all due diligence. Officers unable to respond or otherwise follow the directions provided due to illness or other incapacitation shall telephone or notify the on-duty supervisor of this fact within a reasonable amount of time.

4. Employees who intend to be unavailable via their home or Department issued phone for more than one day or in times of potential crisis shall inform their immediate supervisor of how they can most readily be contacted.

5. Employees are responsible for assuring the continuous, proper working condition of their issued phone. Any problems with the function of the phone shall be immediately reported to the employee's supervisor.

6. During emergency situations including man-made or natural disasters, all employees, whether on or off duty, are subject to recall.

VIII. PROTECTION OF PRISONERS, THEIR RIGHTS AND PROPERTY

A. Employees do not arrest any person or search any premises or person except with a warrant of arrest, a search warrant, or where such arrest or search is authorized without a warrant under the laws of the United States, the State of Texas, or the ordinances of the City of Coppell.

B. All officers shall protect the rights of persons held in custody and no employee shall verbally abuse or use unnecessary force against any person.

C. Officers do not falsely arrest, imprison, or direct any malicious prosecution against any person.

D. Employees do not willfully mistreat or give inhumane treatment to any person held in custody.

E. Officers shall use only that force necessary to effect an arrest.

F. Deadly force in effecting an arrest is only used as authorized in Chapter 9 of the Penal code of Texas, and/or other orders of the Department.

G. Any employee who has lost, damaged, or destroyed any property or equipment belonging to a person in custody or which has come into possession of said employee by reason of his/her office may be required to make restitution if the loss or damage is the result of negligence on the part of the employee.

IX. PUBLIC ACTIVITIES

A. Employees engaging in political activity are governed by the City Charter and the City of Coppell's Ordinance 94672 (M) which states:

"No officer or employee of the city while in uniform or on active duty, or in the course and scope of their employment, term or appointment, thereof shall use the influence or prestige of their position or title as an officer or employee of the City of Coppell for or against any candidate for any elective office, but shall at all times maintain the nonpartisan policy of the City, provided that all officials and employees are encouraged to register and vote as they may choose in all local, state and national elections."

Notwithstanding the foregoing, no officer or employee shall be prohibited from participating in any political process solely in their individual capacity as a private citizen.

B. Employees do not wear campaign buttons or other markings nor participate in any political campaign while in uniform or on active duty.

C. In elections, campaigns, or other political matters, employees do not use the prestige of their office or position with the city for any partisan candidate.

D. Employees will not become members of any organization, association, movement, or group which advocates or approves of the commission of acts of force or violence to deny others of their rights under the Constitution of the United States or which seeks to alter the form of government of the United States by unlawful or unconstitutional means.

E. Employees will not seek the influence or intervention of any person outside the Department for purposes of personal preferment, advantage, transfer or advancement. Should any person learn of any intervention on his/her behalf, he/she shall immediately notify the Chief of Police.

F. Employees will not participate in any type of disruptive protest demonstration nor may they act as a spokesman, representative, or agent for any group engaged in or planning to engage in any type of disruptive protest demonstration.

G. Except for official police duties, no employee of this Department will associate with persons of immoral character, convicted felons, illegal gamblers, or other persons who habitually commit violations of the law. This does not exclude an employee of this Department from associating with immediate members of his/her family if they fall within the aforementioned categories.

H. Employees will not permit their name or photograph to be used to endorse any product or service which is in any way connected with law enforcement without the permission of the Chief of Police, nor do they allow their names or photograph to be used in any commercial testimony which alludes to their position of employment with the Department.

I. Debts – Incurrence and payment:

1. Employees do not solicit subordinate members to co-sign or endorse any promissory note or other loan.

2. Employees pay all just debts and legal liabilities incurred by them.

X. CIVIL, CRIMINAL, JUDICIAL, AND INVESTIGATIVE ACTIONS

A. The Department has jurisdiction in criminal cases only. Employees do not render aid or assistance in civil cases except to prevent an immediate breach of the peace or to quell a disturbance actually existing. This is not intended to prevent employees from informing any citizen as to steps necessary to institute a civil lawsuit or to testify in a civil hearing if under lawful order or subpoena.

B. Officers do not investigate criminal cases or personally file criminal charges in a court of law against any person for a criminal offense committed against him/her or any member of his/her family. Offenses that may be committed against him/her or members of his/her family are reported to the division or section of the Department having responsibility for the investigation of such offenses. The personnel of that division or section shall investigate and file such charges as may be proper.

C. Employees shall not establish or initiate a social relationship with a known victim, witness, suspect, or defendant of a case under investigation by the Coppell Police Department. This prohibition will remain in effect until such a time as the case originating from the Coppell Police Department's investigation is finally adjudicated by a court of law.

D. Employees are truthful at all times, whether under oath or not, when conducting any official police business.

E. Employees do not willfully misrepresent any matter, sign any false statement or report, commit perjury, or give false testimony before any court, grand jury, board, commission, official hearing, or Departmental hearing.

F. Employees answer questions by or render material and relevant statements to a competent authority in a Departmental personnel investigation when so directed.

G. Employees do not knowingly falsify any report, document, or record or cause to be entered any inaccurate, false, or improper information or records, documents, or reports of the Department or of any court or alter any record, document, or report. Employees do not remove or destroy or cause the removal or destruction of any report, document, or record without authorization.

H. Employees are present and available to testify in court or before any grand jury when officially notified to appear. In criminal cases outside Dallas, Tarrant, and Denton Counties and in all civil cases, employees respond to legal subpoenas only.

I. Employees who, for a valid reason, are unable to answer an official summons must be excused by the court or grand jury prior to the time they are scheduled to appear. The reason for the excused absence is reported in writing to the officer's Division Commander. In case the commanding officer or immediate supervisor is not available, employees shall report their reason for being absent to the Chief of Police in writing.

J. Any employee who is subpoenaed or volunteers to testify for the defense in any criminal or civil trial or hearing or against the city or Department in any hearing or trial shall notify his/her commander or supervisor in writing upon receipt of the subpoena or of his/her intention to testify prior to appearance as a witness. This does not apply to the officer who has been subpoenaed as a hostile witness or when the officer has been subpoenaed in a motion to suppress by the defense. Any employee who becomes a plaintiff, defendant, or party to a civil action not addressed elsewhere in this Code of Conduct, shall immediately notify the Chief of Police by memorandum of his or her involvement. The purpose of this notification is not to interfere, but to inform. In civil cases arising from duty-related events, coordination of case prosecution or defense may be necessary.

K. Employees do not accept fees as a witness in criminal cases prosecuted in the state or municipal courts of Dallas, Tarrant, or Denton Counties. Employees may accept witness fees in criminal cases prosecuted outside of Dallas, Tarrant, and Denton Counties or in a federal court as prescribed by law. Employees may accept witness fees in any civil case as prescribed by law. If any employee is on duty or paid overtime at the time of his or her appearance, all witness fees collected will be turned over to the Department with a copy of the subpoena.

L. Employees do not engage in any of the following conduct:

1. Interfering with the service of lawful process.

2. Interfering with the attendance or testimony of witnesses through coercion, bribery, or other means.

3. Attempting to have any Municipal Court Notice to Appear, traffic citation, or other process reduced, voided, or stricken from the calendar without the written approval of the Chief of Police.

4. Recommending a dismissal, reduction of charges, or other disposition of a pending criminal case which has been previously filed in any criminal court or before any grand jury except by written approval of their Division Commander.

5. Taking any other action which interferes with the efficiency or integrity of the administration of criminal justice.

6. Having knowledge of such interference and failing to inform a superior officer in writing.

M. Employees do not suggest, recommend, advise, or otherwise counsel the retention of any attorney or bail bond broker to any person coming to their attention as a result of police business. This does not apply when a relative or personal acquaintance of the employee seeks such service. In no case may such advice be given where a fee, gratuity, or reward is offered by, solicited or accepted from, the attorney or bail bond broker.

N. No employee gives any lawyer, bond broker, or the agent of either, or any other unauthorized person information regarding prisoners in confinement, property in custody, or records of the Department, except that which is public information.

O. Employees do not furnish bail or act as a principal or surety of any bond or bail bond application for any person charged with any type of criminal offense except members of their immediate family.

P. No employee reveals any confidential information to anyone unless authorized to do so and then only to a person or persons authorized to receive such confidential information.

Q. No employee makes known any information concerning the progress of an investigation, a known or reported law violation, a condition against which action is to be taken at a future time, or any proposed police operation to any person not authorized to receive it.

R. Employees do not communicate in any manner, either directly or indirectly, any information which may assist persons guilty of or accused of criminal or quasi-criminal; act(s) to escape arrest or punishment or which may enable them to dispose of secret evidence or unlawful activity, money, merchandise, or other property unlawfully obtained.

S. Employees do not release any official information, police report, police record, arrest report, prosecution report, criminal history file, mug shot picture, or other record or report to any person or agency which does not have a criminal justice function unless ordered by a lawful subpoena or approved by a Division Commander.

T. Individual Rights: Employees of the Police Department are public servants, responsible for providing the essential law enforcement services to the citizens of Coppell, Texas. Our primary function is to enforce the law, within carefully prescribed constitutional boundaries. In doing so, employees shall respect the rights of all individuals, regardless of ethnicity, race, creed, natural origin, age, gender, religious, sexual orientation, or physical impairment.

1. Employees are prohibited from engaging in any type of discrimination, oppression, or favoritism in the performance of their official duties.

XI. RACIAL PROFILING

A. Officers are strictly prohibited from engaging in racial profiling. Racial profiling is defined as 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. Race or ethnicity includes Caucasians, Africans, Hispanics, Asians, and Native Americans.

B. Officers are strictly prohibited from engaging in bias based profiling. Bias based profiling is defined as any profiling based solely on a common trait of a group. This includes, but it not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group trait. Racial profiling is included within the meaning of bias based profiling.

C. In the event of a racial or bias based profiling complaint, the agency will promptly provide a copy of the recording of that event upon receiving a written request from the officer who is the subject of the complaint.

D. The Department will make available to the public a brochure on the complaint process in the police department. The brochure will explain the procedure that an individual can follow to file a complaint.

1. If a complaint of Racial or Bias Based Profiling is found to be true, the involved officer could face disciplinary action up to and including termination.

E. An annual analysis of traffic stops that result in a citation or arrest will be completed and submitted to the City Council by March 1 of each year for the information that was compiled during the previous calendar year.

1. The annual analysis of traffic stops will include information relating to the race or ethnicity of the individual detained, whether a search was conducted and whether the search was conducted with or without the person's consent.

F. The Coppell Police Department will utilize video/audio recording systems in all of their vehicles used for traffic enforcement.

1. Each patrol vehicle is equipped with a video/audio recording system. Each officer is required to check the system at the beginning of the shift to ensure that the video and audio recording system is properly working.

2. Each police motorcycle utilized for traffic enforcement will be equipped with video/audio recording equipment. Each officer is required to check the system at the beginning of the shift to ensure that the video/audio recording system is properly working.

3. Each officer is required to activate the recording equipment on each traffic and pedestrian stop and record the event until the conclusion of that event.

4. Recordings will be retained for a minimum of ninety (90) days. In the event that a complaint of racial profiling is filed with the Department, the recording(s) will be retained until the final disposition of the investigation.

5. Recordings will be reviewed by supervisors at random at a minimum of at least once a month.

a. Reviewing supervisors shall maintain a record of the reviews that contains the date, time, and name of the involved officer of each reviewed recording. The record shall also contain documentation of any corrective action relating to racial profiling.

EFFECTIVE THIS DATE: November 12, 2012

Mac Tristan ***November 12, 2012***
Mac Tristan Date
Chief of Police

Police

Crime Map
Crime Map Instructions
Prescription Drug Take-Back Event
Crime Bulletins
Press Releases
Department Statistics
Organizational Chart
Recruiting
Solicitor/Handbill Permits
"No Solicitor" sign available

Command Staff

Chief Mac Tristan
Deputy Chief Gary Nix
Deputy Chief Matt Kosec
Captain Shawn Fullagar
Captain Jim Cook
Captain Tony Pletcher

Administrative Bureau

Operations Bureau

Patrol Division

Traffic
K-9

Criminal Investigation Division

Special Investigations Unit
School Resource Officers
Honor Guard
Police Explorers

Community Services

Citizen's Police Academy
Junior Police Academy
High School Self-Defense
National Night Out
NNO Golf Tournament 2012
Operation Secure Car
Women's Self-Defense
Fingerprinting Services

Communications

RACIAL PROFILING POLICY

** CPD GENERAL ORDER NO. 100.003 (XI)

Coppell Police Officers are strictly prohibited from engaging in racial profiling. Racial profiling is defined as 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.

Any person who believes they are a victim of racial profiling is urged to speak with an on-duty supervisor at 972-304-3610. We would prefer to speak with you in person but all complaints will be addressed regardless of the manner they are received. If the matter proves to be more serious in nature, Texas state law requires that the complaint be signed and in writing. A brochure on how to file this complaint is available at the police department or can be downloaded from this web site.

To maintain a professional and impartial relationship with motorists stopped for traffic violations, the Coppell Police Department has equipped every vehicle used for enforcement with an audio/video recording system. Officers are required to activate the cameras during all traffic and pedestrian stops and the recording is available for review by supervisors in the event of a complaint.

An annual analysis of traffic stops that result in a citation or arrest is completed each year and submitted to the City Council by March 1. A copy of the annual report is also forwarded to the Coppell Public Library for citizen review.

Police Forms
Alarm Permits
Directed Patrol
Vacation House Watch
Curfew Hours
Racial Profiling Policy
In Memoriam

English and Spanish Brochures on Racial Profiling and complaint procedures.

Citizen Complaint and Racial Profiling Procedures

Procedimientos de quejas ciudadanas y perfiles raciales

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Coppell Police Department Mission Statement

It is the mission of the Coppell Police Department to maintain a safe and peaceful community environment by providing effective and efficient law enforcement services through community partnerships, public education, and quality service.

Organizational Principles And Philosophies

- **We accomplish our mission through the collective contributions of our people and the community.**
- **We manage our responsibilities and resources, taking ownership for our work.**
- **We encourage creative problem solving, celebrating our accomplishments and acknowledge that there will be mistakes from which we can learn.**
- **We constantly evaluate our actions against basic tests for ethical behavior (Lippitt, 1969).**
- **We recognize the demanding nature of our work and promote an environment conducive to the total well being for our employees.**

Racial Profiling Policy

Coppell Police Officers are strictly prohibited from engaging in racial profiling.

Racial profiling is defined by the Texas Code of Criminal Procedure as 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.

Any person who believes they are a victim of racial profiling is urged to speak with an on-duty supervisor in person or by phone at 972-304-3610. We would prefer to speak with you in person, but all complaints will be addressed regardless of the manner they are received. If the matter proves to be more serious in nature, Texas state law requires that the complaint be signed and in writing.

To maintain a professional and impartial relationship with motorists stopped for traffic violations, the Coppell police department has equipped every vehicle used for enforcement with an audio/video recording system. Officers are required to activate the cameras during all traffic and pedestrian stops and the recording is available for review by supervisors in the event of a complaint.

Inside this brochure you will find the steps you need to file a complaint.

Coppell Police Department

Citizen Complaint and Racial Profiling Procedures

Coppell Police Department
130 Town Center Blvd.
Coppell, Tx 75019
972-304-3600

THE IMPORTANCE OF YOUR COMPLAINT

The Coppell Police Department recognizes that its employees are responsible for their conduct where the public is concerned. The department also acknowledges that at certain times, conflicts between citizens and agency employees can arise. It is essential to the safety of our community that the relationship between police and citizens be built on confidence and trust.

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

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

Filing False Police Complaints

The deliberate making of a report that the complainant knows to be false or misleading could constitute a violation of State Law.

Making a False Complaint (Texas Penal Code Section 37.02, Perjury Section) is a Class A misdemeanor punishable with a fine of up to $4,000, or confinement in jail for up to one year or both.

Types of Complaints

Any person who believes that any Coppell Police Department employee has been involved in improper conduct or has a criticism of Department services has the right to make a complaint. There are two types of complaints that may be made against members of the police department:

Class I Incidents usually involve serious alleged acts such as criminal misconduct, allegations of civil rights violations or discrimination, or allegations of unnecessary force. Class I Incidents must be in writing and must be signed by the complainant. (Texas Government Code 614.022)

Class II Incidents usually involve employee behaviors, such as rudeness, discourtesy, offensive language, harassment, minor misconduct, or improper police procedures. Class II Incidents will normally be investigated by the immediate supervisor. Class II Incidents may be made in person, by telephone, or by letter.

The Chief of Police or his designee will determine if an internal investigation (also known as an Internal Affairs investigation) will be conducted.

The Complaint Process

There are several ways you can file a complaint. You can call, mail a letter, or ask to speak with a police supervisor about your complaint. The police supervisor may be able to investigate and resolve your complaint. If not, the police supervisor can assist you with the process of filing your complaint. If you do not wish to speak with the supervisor about the incident, the supervisor can provide you with a written form to complete.
Complaints may be filed anonymously without giving your name, but you will not be notified of the end result if you choose to remain anonymous.

The Investigation Process

The Coppell Police Department investigates all complaints received from citizens in a fair and unbiased manner. Citizens who file complaints are treated respectfully, and their accusations are taken seriously.

After receiving a complaint, an investigation will be conducted. During the course of an investigation, the investigator will interview witnesses and subjects involved with the complaint. The investigator will also review documents, audio and video recordings, or other items as necessary related to the complaint.

Investigations of complaints regarding employees are taken very seriously and will be completed in a timely manner.

The primary objectives of internal investigations are:

- Protection of the Public
- Protection of the Department
- Protection of the Employee
- Removal of Unfit Personnel
- Correction of Procedural Problems

If it becomes necessary for you to make a complaint, you can be assured it will be given a fair and thorough investigation. By the same token, if you have occasion to see a police officer doing outstanding work, tell us about it. Your Coppell Police Department Officers are dedicated to serving you and our community.

Departamento de Policía de Coppell

Misión

La misión del Departamento de Policía de Coppell es mantener un ambiente seguro y pacífico en la comunidad por medio de brindar servicios para mantener el orden público a través de colaborar con la comunidad, educar al público y brindar un servicio de calidad.

Principios y filosofía de la organización

- **Logramos nuestra misión a través de las aportaciones colectivas de nuestra gente y la comunidad.**
- **Manejamos nuestras responsabilidades y recursos por medio de apropiarnos de nuestro trabajo.**
- **Alentamos la resolución creativa de problemas, celebrando nuestros logros y reconociendo que habrá errores de los cuales podremos aprender.**
- **Constantemente evaluamos nuestras acciones contra pruebas básicas de comportamiento ético (Lippitt, 1969).**
- **Reconocemos la exigente naturaleza de nuestro trabajo y promovemos un ambiente conducente al bienestar total de nuestros empleados.**

Política de perfiles raciales

Los Oficiales de Policía de Coppell tienen estrictamente prohibido participar en la realización de acciones basadas en perfiles raciales.

Actuar a partir de perfiles raciales es definido por el Código de Procedimientos Criminales de Texas como una acción iniciada por los responsables de mantener el orden público con base en la raza, origen étnico o nacional del individuo en lugar de en el comportamiento o en la información que identifique que el individuo haya participado en alguna actividad criminal.

A cualquier persona que crea haber sido víctima de discriminación por perfil racial se le insta a que hable con uno de los supervisores en turno en persona o por teléfono al 972-304-3610. Preferimos hablar con usted en persona, no obstante todas las quejas serán atendidas sin importar la manera en que sean recibidas. Si el asunto prueba ser más serio en naturaleza, la ley del estado de Texas exige que la queja se presente firmada y por escrito.

Para mantener una relación profesional e imparcial con los automovilistas que sean detenidos por violaciones al reglamento de tránsito, el Departamento de Policía de Coppel ha equipado cada vehículo utilizado para el mantenimiento del orden publico con un sistema de grabación de audio y video. A los oficiales se les exige que activen las cámaras al detener automovilistas o peatones y la grabación está disponible para ser revisada por los supervisores en caso de que se presente una queja.

Dentro de este folleto usted encontrará los pasos necesarios para presentar una queja.

Departamento de Policía de Coppell

Procedimientos de quejas ciudadanas y perfiles raciales

Departamento de Policía de Coppell
130 Town Center Blvd.
Coppell, Tx 75019
972-304-3600

LA IMPORTANCIA DE SU QUEJA

El Departamento de Policía de Coppell reconoce que sus empleados son responsables por su conducta con relación al público. El departamento también reconoce que en ciertos momentos pueden surgir conflictos entre los ciudadanos y los empleados de la agencia. Es esencial para la seguridad de nuestra comunidad que la relación entre la policía y los ciudadanos se construya sobre confianza y certidumbre.

Los Oficiales de Policía deberán sentirse libres de ejercer su mejor juicio e iniciar acciones apropiadas de una manera razonable, imparcial, apegada a la ley, sin temor de represalias. Al mismo tiempo, deben respetar los derechos de todas las personas. El proceso de queja y los procedimientos disciplinarios apropiados no solamente sujetan a los miembros de la agencia a acciones correctivas cuando se conduzcan de manera inapropiada, los lineamientos también los protegen de crítica injustificada cuando realicen su deber de manera apropiada.

Un desacuerdo sobre la validez de un citación por haber cometido una infracción de tránsito no es una queja. Tales desacuerdos se deben dirigir a la corte que tenga jurisdicción en la materia.

Presentar quejas falsas contra la policía

La elaboración deliberada de un reporte que el quejoso sepa que es falso o engañoso podría constituir una violación a la Ley Estatal.

Presentar una queja falsa (Código Penal de Texas Sección 37.02, Sección de Perjurio) es un delito Clase A que puede ser penalizado con una multa de hasta $4,000 dólares, o con confinamiento en prisión por hasta un año o con ambos.

Tipos de quejas

Cualquier persona que crea que un empleado del Departamento de Policía de Coppell ha participado en una conducta inapropiada o tiene una crítica hacia los servicios del Departamento tiene el derecho de presentar una queja. Hay dos tipos de quejas que se pueden presentar en contra de los miembros del Departamento de Policía:

Los Incidentes Clase I suelen tener que ver con presuntos actos graves como: conducta criminal, acusaciones de violaciones a los derechos humanos o discriminación, o bien acusaciones de abuso en el uso de la fuerza. Las quejas por Incidentes Clase I deberán presentarse por escrito y ser firmados por el quejoso. (Código de Gobierno de Texas 614.022)

Los Incidentes Clase II suelen tener que ver con conductas de los empleados como: falta de respeto, descortesía, lenguaje ofensivo, hostigamiento, conducta inaceptable o procedimientos policíacos inapropiados. Los Incidentes Clase II normalmente serán investigados por el supervisor inmediato. Las quejas por Incidentes Clase II pueden presentarse en persona, por teléfono o por carta.

El Jefe de Policía, o quien este haya designado, determinará si se conducirá una investigación interna (también conocida como una investigación de Asuntos Internos).

El proceso de queja

Hay varias maneras en las que puede presentar una queja. Puede llamar por teléfono, enviar una carta o solicitar hablar con un supervisor de policía con respecto a su queja. El supervisor de policía quizá pueda investigar y resolver su queja. Si no, el supervisor de policía lo puede ayudar en el proceso de presentar su queja. Si no quiere hablar con el supervisor acerca del incidente, el supervisor puede darle un formulario escrito para que usted lo llene.

Las quejas se pueden presentar de manera anónima (sin dar su nombre) pero no se le notificará el resultado final si escoge permanecer en el anonimato.

El proceso de investigación

El Departamento de Policía de Coppel investiga todas las quejas recibidas de parte de los ciudadanos de una manera justa e imparcial. Los ciudadanos que presentan quejas son tratados con respeto y sus acusaciones son tomadas con seriedad.

Después de recibir una queja, se conducirá una investigación. Durante el curso de una investigación el investigador entrevistará a los testigos y a los sujetos involucrados en la queja. El investigador también revisará los documentos, las grabaciones de audio y de video, así como otros artículos relacionados con la queja según sea necesario.

Las investigaciones de quejas con respecto a los empleados son tomadas con suma seriedad y serán llevadas a cabo de manera oportuna.

Los objetivos primarios de las investigaciones internas son:

- Protección del público
- Protección del departamento
- Protección del empleado
- Remoción de personal inadecuado
- Corrección de problemas de procedimiento

Si llegara a ser necesario que usted presente una queja, puede tener la seguridad de que se llevará a cabo una investigación imparcial y exhaustiva. De la misma manera, si usted llega a ver a un oficial de policía realizando un trabajo extraordinario, déjenoslo saber. Los Oficiales del Departamento de Policía de Coppel están dedicados a servirlo a usted y a nuestra comunidad.

Appendix C

Racial Profiling Laws and Corresponding Standard Operating Procedures

Texas CCP Article	COPPELL POLICE DEPARTMENT General Order 100.003
2.132(b)1	Section XI-A
2.132(b)2	Section XI-A
2.132(b)3	Section XI-D & D-1
2.132(b)4	Section XI-D
2.132(b)5	Section XI-D-1
2.132(b)6	Section XI-E-E-1
2.132(b)7	Section XI-E