UNIVERSITY PARK POLICE DEPARTMENT

2013

BIAS-BASED PROFILING ANALYSIS

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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 review such data, the University Park Police Department requested this analysis and review to assist the City Council in reviewing the data.

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

- **A COMPREHENSIVE REVIEW OF THE UNIVERSITY PARK POLICE DEPARTMENT REGULATIONS, SPECIFICALLY BIASED BASED PROFILING 01-001 OUTLINING THE DEPARTMENT'S POLICY CONCERNING RACIAL PROFILING, SHOWS THAT THE UNIVERSITY PARK 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 UNIVERSITY PARK POLICE DEPARTMENT IS FULLY IN 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 UNIVERSITY PARK POLICE DEPARTMENT REVEALS THAT THERE ARE NO METHODOLOGICALLY CONCLUSIVE INDICATIONS OF SYSTEMIC RACIAL PROFILING BY THE DEPARTMENT.**

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

- **THE UNIVERSITY PARK POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW CONCERNING THE REPORTING OF INFORMATION TO TCOLE.**

Introduction

This report details an analysis of the University Park Police Department's policies, training, and statistical information on racial profiling for the year 2013. This report has been prepared to specifically 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 University Park Police Department in 2013. 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: University Park Police Department's policy on racial profiling; University Park Police Department's training and education on racial profiling; University Park Police Department's complaint process and public education on racial profiling; analysis of statistical data on racial profiling; analysis of University Park Police Department's compliance with applicable laws on racial profiling; and a final section which includes completed data and information reporting forms required to be sent to TCOLE.

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).

University Park Police Department Policy on Racial Profiling

A review of University Park Police Department regulation Biased Based Profiling 01-001 revealed that the department has adopted policies to be in compliance 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 regulation Biased Based Profiling 01-001. University Park 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. The regulations also provide a very clear statement of the agency's philosophy regarding equal treatment of all persons regardless of race or ethnicity. Appendix C lists the applicable statute and corresponding University Park Police Department regulation.

In addition, the University Park Police Department is accredited by the Commission on Accreditation for Law Enforcement Agencies and is in compliance with standards prohibiting bias based profiling which exceed the requirements of the State of Texas.

A COMPREHENSIVE REVIEW OF UNIVERSITY PARK POLICE DEPARTMENT REGULATION BIASED BASED PROFILING 01-001 SHOWS THAT THE UNIVERSITY PARK POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.

University Park 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 University Park Police Department reveals that racial profiling training and certification did occur in 2013 and was provided to all officers requiring such training.

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

University Park 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. University Park Police Department regulation Biased Based Profiling 01-001 Section III Parts B and C covers this requirement. Specifically, the department has information regarding racial profiling and the complaint process on its website and posted inside the police department in the lobby and at the records desk. In addition, the department provides annual information about racial profiling to the local newspaper including specific contact information 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.

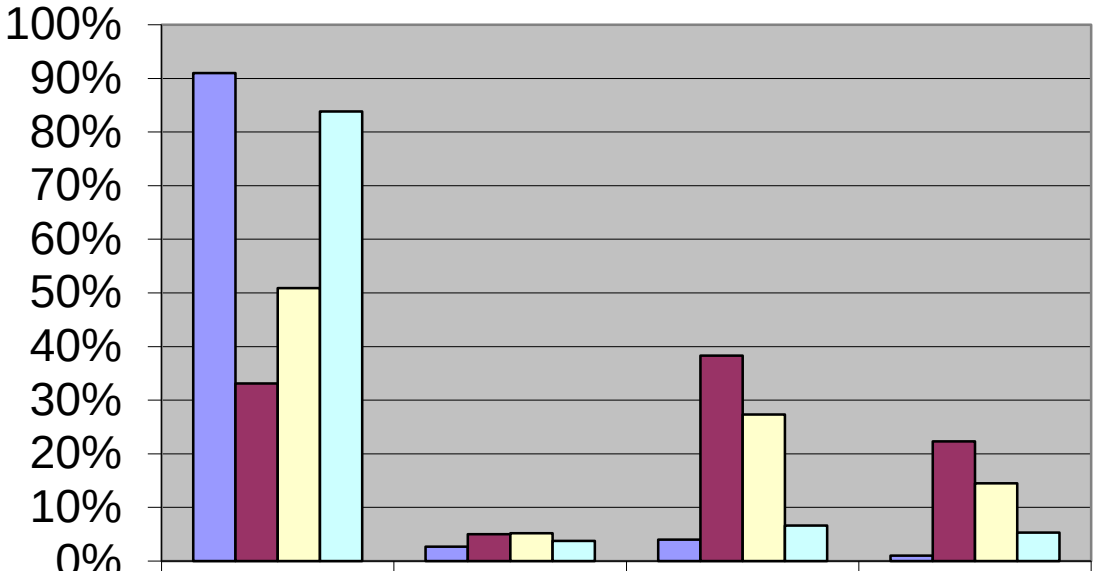
University Park Police Department Statistical Data on Racial Profiling

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. University Park Police Department submitted statistical information on all citations in 2013 and accompanying information on the race of the person cited. Accompanying this data was the relevant information on searches.

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 stopped by race in 2013 (3,211 total traffic stops).[1] White drivers constituted 83.84 percent of all drivers stopped, whereas Whites constituted 91.00 percent of the city population, 33.10 percent of the county population, and 50.90 percent of the region population.[2] African-American drivers constituted 5.29 percent of all drivers stopped, whereas African-Americans constituted 1.00 percent of the city population, 22.30 percent of the county population, and 14.50 percent of the region population. Hispanic drivers constituted 6.63 percent of all drivers stopped, whereas Hispanics constituted 4.00 percent of the city population, 38.30 percent of the county population, and 27.30 percent of the region population.



	White	Asian	Hispanic	African-American
% City Population	91.00%	2.70%	4.00%	1.00%
% County Population	33.10%	5.00%	38.30%	22.30%
% Region Population	50.90%	5.20%	27.30%	14.50%
% of Total Stops	83.84%	3.74%	6.63%	5.29%

The chart shows that White drivers are stopped at rates lower than the percentage of Whites found in the city population, but higher than their percentage in the county and regional population. African-Americans are stopped at rates higher than the percentage of African-

[1] There were 3 citations given where the race/ethnicity of the individual was Native American/Other, and 13 citations of motorists classified as Middle Eastern. The total number of vehicle stops (3,211) is indicative of motorists who received a citation, were arrested, or both. See TCOLE forms in the final section of this report for breakdowns by citations, arrests, or both.

[2] City and County population figures were derived from the U.S. Census Bureau utilizing the 2010 Census. Regional population figures are derived from 2010 Census data compiled and published by the North Central Texas Council of Governments. "Regional" population figures are 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.

Americans in the city population, but lower than their percentage in the county and regional population. The same finding holds for Hispanic drivers.

Easy determinations regarding whether or not University Park 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. That is, who or what is driving the disproportionate rates at which minorities seem to be stopped and searched? We cannot know or even begin to examine this issue with analyses that end with aggregate level comparisons of rates.

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 decent. 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. Changes in the demographic character of North Texas have made the base-rate issue especially problematic because measures derived from the U.S. Census can become quickly outdated. Although the more recent 2010 Census population figures are utilized in this report, these base rates will too become quickly outdated due to the rapid changes experienced in North Texas. Related, 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 stopped 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 and searched subsequent to being stopped by the University Park Police Department for traffic offenses. In addition, the table shows the number of stopped individuals who granted consent to search and those stopped drivers who were arrested pursuant to the stop. Specific to citations, the table shows that roughly 84 percent of all citations were given to White drivers (2,692/3,211), roughly 5 percent of all citations (170) were given to African-American drivers, and roughly 7 percent (213) of all citations were given to Hispanic drivers. Of the 3,211 persons cited by the University Park Police Department in 2013, only 6 motorists were searched and there were no consent searches. Moreover, less than 2 percent of all motorists cited were arrested (48/3,211).

Action	White	African-American	Hispanic	Asian	Other	Total
Vehicle Stops	2,692	170	213	120	16	3,211
Searches	4	2	0	0	0	6
Consent Searches	0	0	0	0	0	0
Arrests	34	13	0	0	1	48
Asset Forfeitures	0	0	0	0	0	0
Field Contacts	34	12	2	3	0	51

Note: Vehicle stops includes those where a citation was issued, an arrest occurred, or both.

Analysis of Racial Profiling Compliance by University Park Police Department

The foregoing analysis shows that the University Park 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 2013 the department did not receive any bias-based/racial profiling complaints.

In addition to providing summary reports and analysis of the data collected by the University Park Police Department in 2013, 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 University Park Police Department as well as police agencies across Texas.

University Park Police Department TCOLE Reporting Forms

Partial Exemption Racial Profiling Reporting
(Tier 1)

Department Name	University Park Police Department
Agency Number	113225
Chief Administrator Name	Greg Spradlin
Reporting Name	Greg Spradlin
Contact Number	214 987-5355
E-mail Addess	gspradlin@uptexas.org

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

Greg Spradlin 1-28-14

Chief Administrator Date

Partial Exemption Racial Profiling Reporting
(Tier 1)

Video and Audio Equipment Exemption

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

☒X 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

Chief Administrator 1-28-14 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 must be equal**
2. **Total on line 20 must equal line 15**

AGENCY NAME:

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

1. 3163 Citation only
2. 12 Arrest only
3. 36 Both

4. **3211 (Total of 1-3)**

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

5. 170 African
6. 120 Asian
7. 2692 Caucasian
8. 213 Hispanic
9. 13 Middle Eastern
10. 3 Native American

11. **3211 (Total of 5-10, must be the same as #4)**

Race or Ethnicity known prior to stop?

12. 188 Yes
13. 3023 No

14. **3211 (Total of 12-13, must be the same as #4 and #11)**

Search conducted?

15. 6 Yes
16. 3205 No

17. **3211 (Total of 15-16, must be the same as #4, #11, and #14 above)**

Was search consented?

18. 0 Yes
19. 6 No

20. **6 (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

Greg Spradlin 1-28-14

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

ADMINISTRATION AND MANAGEMENT	01-001

BIAS BASED PROFILING

EFFECTIVE DATE: 01/01/01
LATEST REVISION: 03/18/13

Traffic and pedestrian stops are part of every patrol officer's duties. These stops are generally made on a daily basis for the purpose of issuance of traffic citations, investigations and/or arrests. The State of Texas mandates that all law enforcement agencies have a policy in place for those officers whose primary duty includes making traffic stops. Said policy must establish a clear understanding of the Department's internal policy on bias based profiling as well as required reporting procedures that must be carried out by the Department and the officers. This directive outlines in detail the Department's policy prohibiting bias based profiling as well as other matters related to the collection of required information and documentation of traffic stops.

I POLICY

It is the policy of this department to police in a proactive manner and to aggressively investigate suspected violations of law. Officers shall actively enforce state and federal laws and local ordinances in a responsible and professional manner without regard to race, ethnicity or national origin. Officers are strictly prohibited from engaging in bias based profiling in traffic contacts, field contacts, asset seizure, forfeiture efforts, and other circumstances as defined in this policy. This policy shall be applicable to all persons whether drivers, passengers, or pedestrians.

Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Two of the fundamental rights guaranteed by both the United States and Texas constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents. The right of all persons to be treated equally and to be free from unreasonable searches and seizures must be respected. Bias based profiling is an unacceptable patrol tactic and will not be tolerated.

This policy shall not preclude officers from offering assistance such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost, or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

II DEFINITIONS

THESE DIRECTIVES ARE PROVIDED FOR YOUR SAFETY AND PROTECTION

A. BIAS BASED PROFILING - A law enforcement-initiated action based on an individual's race, ethnicity, or national origin, rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. This includes but is not limited to race, ethnic background, sexual orientation, religion, economic status, age, cultural group or any other identifiable groups.

Bias based profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants, or other citizen contacts.

The prohibition against bias based profiling does not preclude the use of race, ethnicity, or national origin as factors in a detention decision.

Race, ethnicity, or national origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching. Detaining an individual and conducting an inquiry into that person's activities simply because of that individual's race, ethnicity or national origin is bias based profiling. Examples of bias based profiling include but are not limited to the following:

1. Citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the cited driver's race, ethnicity, or national origin. Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess that specific make or model of vehicle.

2. Detaining an individual based upon the determination that a person of that race, ethnicity, or national origin does not belong in a specific part of town or a specific place.

A law enforcement agency can derive two principles from the adoption of this definition of bias based profiling:

Police may not use racial or ethnic stereotypes as factors in selecting whom to stop and search, but may use race in conjunction with other known factors of the suspect.

Law enforcement officers may not use racial, ethnic, or other stereotypes as factors in selecting whom to stop and search. Racial profiling is not relevant as it pertains to witnesses, etc.

B. MOTOR VEHICLE STOP – an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

C. RACE OR ETHNICITY - Of a particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern.

D. TRAFFIC STOP – A motor vehicle stop for an alleged violation of a law or ordinance regulating traffic.

III PROCEDURES

A. Training

1. Officers are responsible to adhere to all Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.

2. All officers shall complete a TCLEOSE training and education program on bias based profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

3. The Chief of Police, as part of the initial training and continued education for such appointment, will be required to attend the LEMIT program on bias based profiling.

B. Complaint Investigation

1. The Department shall accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic, national origin, or other profiling. No person shall be discouraged, intimidated, or coerced from filing a complaint nor discriminated against because he or she filed such a complaint.

2. Any employee who receives an allegation of bias based profiling, including the officer who initiated the stop, shall record the person's name, address, and telephone number and forward the complaint through the appropriate channel OR direct the individual(s) to the appropriate supervisor or to the Office of the Chief. Any employee contacted shall provide to that person a copy of a complaint form or the Department process for filing a complaint. All employees will report any allegation of bias based profiling to their superior before the end of their shift.

3. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period of time. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the Chief. When applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be filed with the Chief.

4. If a profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, included but not necessarily limited to:

   a. Remedial Training

   b. Counseling

   c. Disciplinary actions

   d. Suspension

   e. Termination

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5. If there is a departmental video or audio recording of the events upon which a complaint of bias based profiling is based, upon commencement of an investigation by this department into the complaint and written request of the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.

C. Public Education

This department will inform the public of its policy against bias based profiling and the complaint process. Methods that may be utilized to inform the public are the news media, radio, service or civic presentations, the Internet, as well as governing board meetings. Additionally, information will be made available as appropriate in languages other than English.

D. Citation Data Collection and Reporting

1. An officer is required to collect information relating to Motor Vehicle Stops. Each motor vehicle stop will prompt the officer to complete a profiling data form electronically, through the RMS system. The reporting officer must fully complete the form and will include:

   a. The violator's race or ethnicity as stated by the violator or if the person does not state their race or ethnicity, as determined by the officer to the best of the officer's ability (Do Not Leave Blank or Note as Unknown);

   b. Whether a search was conducted;

   c. Any probable cause or reasonable suspicion existing to perform the search;

   d. Was the search consensual;

   e. Whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;

   f. Whether the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

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

   h. Whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual.

   NOTE: Officers will indicate "known" on a citation form only if the race or ethnicity was known with reasonable certainty.

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2. Officers will note any reasonable suspicion associated with a consent search of a vehicle as it relates to this directive. Probable cause can include, but is not limited to the following: weapon in plain view, contraband in plain view, odor of marijuana, odor of alcohol, suspicious movements/officer safety, etc. Officers should make a more thorough notation in the comment section on the back of the hard copy.

3. If the search box is checked and consent was given, Reasonable Suspicion MUST be noted. If exigent circumstances were involved in the search of a vehicle the Probable Cause must also be noted and documented.

4. In the event a warning is issued, it must be a written warning. Verbal warnings are NOT permissible.

5. Prior to March first of each year the department will compile and submit a report, which includes the information from the previous calendar year gathered from citations issued. The report shall include:

   a. The total number of motor vehicle stop contacts by violator race and sex,

   b. The total number of motor vehicle stop contacts which resulted in searches by violator race and sex,

   c. The total number of searches that were consensual by violator race and sex, and

   d. The total number of arrests resulting from motor vehicle stop contacts by arrested persons race and sex.

E. Use of Digital Video and Audio Equipment

1. Each motor vehicle regularly used by this department to make motor vehicle stops is equipped with a digital video camera and transmitter-activated equipment.

2. Each motor vehicle stop made by an officer of this department will be recorded by digital video and audio. If a vehicle recorder is not operating properly, the vehicle will be taken out of service as soon as possible. Necessary paperwork will be completed to ensure the DVR is repaired as soon as possible.

3. This department shall retain the digital video and audiotapes or the audio-tape of each motor vehicle stop for at least one hundred twenty (120) days after the date of the stop. If a complaint is filed with this department alleging that one of our officers has engaged in bias based profiling with respect to a motor vehicle stop, the department shall retain the digital video and audio tapes or the audio tape of the stop until final disposition of the complaint.

4. Supervisors will ensure officers of this department are recording their motor vehicle stops. A recording of each officer will be reviewed at least once every one hundred twenty (120) days.

THESE DIRECTIVES ARE PROVIDED FOR YOUR SAFETY AND PROTECTION

5. If the equipment used to record audio and/or digital video of motor vehicle stops is malfunctioning or otherwise not operable, the officer making the stop may properly record and report the information on the profiling form prompted by a traffic stop.

F. Collecting and Reporting Information Gathered from Motor Vehicle Stops

1. This department shall compile and analyze the information contained on citations and arrest reports. By March 1st of each year, this department shall submit

   a. A report to the governing body of the City of University Park containing the information compiled from the preceding calendar year in a manner approved by the council and in compliance with State reporting requirements. The report will contain at a minimum:

      1) A comparative analysis of the information contained in all the individual reports in order to:

         - Determine the prevalence, if any, of bias based profiling by officers in this department; and
         - Examine the disposition of motor vehicle stops made by this department's officers, including searches resulting from stops.

      2) Information relating to each complaint filed with this department alleging bias based profiling; and
      3) An annual administrative review of agency policies and citizen concerns of racial or bias based profiling. This review is conducted by the Chief of Police, or his designee.

   b. A report to the Texas Commission on Law Enforcement Officer Standards and Education in the format specified by State Law.

2. The reports will 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.

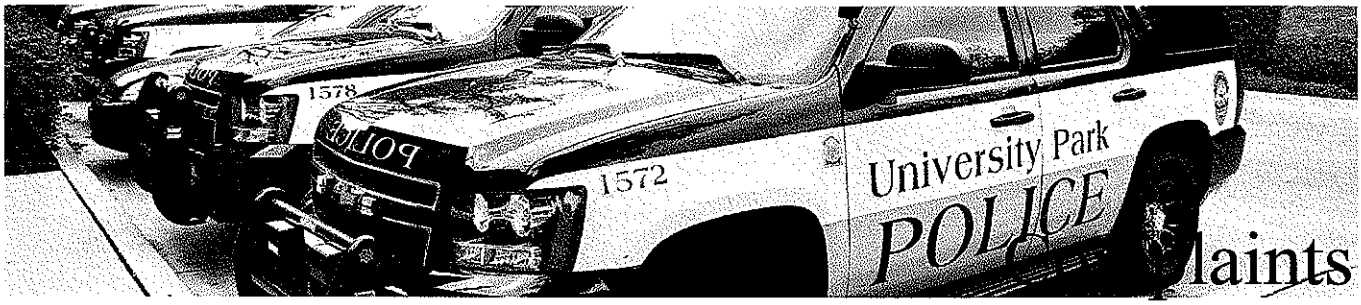
THESE DIRECTIVES ARE PROVIDED FOR YOUR SAFETY AND PROTECTION

INFORMATION POSTED IN LOBBY
AND AT RECORDS DESK

The members of the University Park Police Department want you to know. . .

That any law enforcement action initiated by the police department must be based on an individual's behavior or information identifying an individual as having engaged in criminal activity. Our officers are strictly prohibited from initiating any action against any person based on their race, ethnicity, sexual orientation, religion, economic status, age, cultural group, national origin, or any other identifiable group.

If you believe a University Park Police Officer has engaged in racial or bias based profiling with respect to your rights, you may file a complaint with the Office of the Chief. Your complaint will be fairly and thoroughly investigated and you will be notified of the results of the findings and any action taken. Contact us in person, by telephone at 214 987-5355, or visit our website at www.uptexas.org for more information.



Complaints and Racial or Bias-Based Profiling Information

The form at the bottom of this page is one way the public can provide the University Park Police Department with feedback on employee conduct and service. The Department will review and follow up on each citizen complaint or inquiry in a timely manner. I am dedicated to ensuring that each member of my Department acts professionally and responsibly. Thank you for your input.

Greg Spradlin
Chief of Police

PROFESSIONAL STANDARDS INVESTIGATIONS ANNUAL COMPARISON SUMMARY

Download PDF (http://www.uptexas.org/uptexas/media/upTexas/uploads/police/Professional_Standards_summary.pdf)

UNIVERSITY PARK POLICE DEPARTMENT RACIAL OR BIAS-BASED PROFILING PROHIBITION POLICY

The members of the University Park Police Department want you to know. . .

That any law enforcement action initiated by the police department must be based on an individual's behavior or information identifying an individual as having engaged in criminal activity. Our officers are strictly prohibited from initiating any action against any person based on their race, ethnicity, sexual orientation, religion, economic status, age, cultural group, national origin, or any other identifiable group.

If you believe a University Park Police Officer has engaged in racial or bias based profiling with respect to your rights, you may file a complaint with the Office of the Chief. Your complaint will be fairly and thoroughly investigated and you will be notified of the findings and any action taken.

- Any individual may file a complaint with the University Park Police Department if the individual believes that a University Park Police Officer has engaged in racial or bias-based profiling. Please complete a Citizen Complaint and Inquiry Form or call the Department's Internal Affairs Investigator at 214-987-5344. The form is available below.
- To file a complaint of any nature against a member of the University Park Police Department, please fill out a Citizen Complaint and Inquiry Form. Once you have completed the form, you should mail it to the address listed below or drop it in the Utility Billing fire hydrant at City Hall. If you prefer to contact a Police Supervisor by phone, call 214-987-5370. You can also visit with a Police Supervisor in person. The Police Department is located at City Hall (3800 University Blvd.)
- Information concerning inquires and complaints are forwarded to the Chief of Police for investigation.

Citizen Complaint and Inquiry Form (http://www.uptexas.org/uptexas/media/upTexas/uploads/article_images/UP-Citizen-Complaint-English-Proof.pdf)

Forma en Espanol (http://www.uptexas.org/uptexas/media/upTexas/uploads/article_images/UP-Citizen-Complaint-Spanish.pdf)

Please print form and mail directly to:
Greg Spradlin, Chief of Police
University Park Police Department
3800 University Blvd.
University Park, TX 75205

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This form is one way the public can provide the University Park Police Department with feedback on employee conduct and service. The Department will review and follow up on each citizen complaint or inquiry in a timely manner. I am dedicated to ensuring that each member of my Department acts in a manner that is both professional and responsible. Thank you for your input.

Greg Spradlin
Chief of Police

BIAS BASED PROFILING PROHIBITION POLICY
UNIVERSITY PARK POLICE

It is the policy of the University Park Police Department to strictly prohibit racial and bias based profiling by its members. Employees of this department will not initiate action against any person based on that person's race, gender, ethnicity, national origin, sexual orientation, economic status, age, cultural group, or religious beliefs. Any law enforcement action initiated by this department must be based on behavior or on information identifying an individual as having engaged in criminal activity.

Any Individual may file a complaint with the University Park Police Department if the individual believes a University Park Police employee has engaged in bias based profiling with respect to the individual. Complete this form or call the Department's Internal Affairs Investigator at (214) 987-5344.

Greg Spradlin, Chief of Police
University Park Police Department
3800 University Blvd
University Park, TX 75205

Citizen Complaint & Inquiry Form

City of University Park Police Department

Concerning a Traffic Ticket

Complaints concerning differences of opinion between an officer and a citizen regarding guilt or innocence of the citizen are not investigated but are properly disposed of within the judicial

USE ADDITIONAL PAGES IF NECESSARY

COMPLAINT AFFIDAVIT

STATE OF _____

COUNTY OF _____

Before me, the undersigned authority in and for the State of _____, on this day personally appeared __ _____, who, After being by me duly sworn, deposed and said:

My name is _____. I am of sound mind, 18 years of age or older, and competent to give this affidavit. My home address is _____ and my telephone number is _____.

I have read the above statement consisting of _____ page(s), which is based on my personal knowledge, and it is true and correct.

_____
Signature of Complainant

Subscribed and sworn to before me, the undersigned authority, on this the _____day of _____, A.D. _____.

_____
Notary

Complete this form and bring it or mail it to the address above. If you wish, you may call the Department's Internal Affairs Investigator at (214) 987-5344.
Section 37.02 of the Texas Penal Code states that a person commits the Class A misdemeanor offense of perjury "if with intent to deceive and with knowledge of the statement's meaning:
He makes a false statement under oath or swears to the truth of a false statement previously made and the statement is required or authorized by law to be made under oath; or
He makes a false sworn declaration under Chapter 132, Civil Practice and Remedies Code.
A third degree felony offense of aggravated perjury (Sec. 37.03) is committed if the perjury is made during or in connection with an official proceeding and is material.

Este formulario es una manera para que el público le pueda dar información al Departamento de Policía de University Park sobre la conducta y el servicio de sus empleados. El Departamento revisará y tratará de resolver cada denuncia o investigación lo más pronto posible. Yo estoy dedicado a asegurar que cada miembro de mi Departamento se comporte de una manera que a la misma vez sea profesional y responsable. Muchas gracias por su ayuda.

Greg Spradlin
Jefe de Policía

Plan de acción para la prohibición del prejuicio

Es la costumbre del Departamento de Policía de University Park de prohibir estrictamente el prejuicio racial por alguno de sus miembros. Los empleados de este departamento no van a iniciar ninguna acción en contra de alguna persona basada en su raza, sexo, étnicidad, origen nacional, orientación sexual, nivel económico, edad, grupo cultural o creencias religiosas. Cualquier ejecución de la ley iniciada por este departamento debe ser basada en el comportamiento o en alguna información que identifica a un individuo como una persona ha participado en una actividad criminal.

Cualquier individuo puede sentar una denuncia o queja con el Departamento de Policía de University Park si ese individuo cree que un empleado de la Policía de University Park ha actuado con prejuicio con respecto a ese individuo. Llene este formulario o llame a un Investigador del Departamento de Asuntos Internos al (214) 987-5344.

Greg Spradlin, Jefe de Policía
Departamento de Policía de University Park
3800 University Boulevard
University Park, Texas 75205

Formulario de Denuncia e Investigación para el Ciudadano

Ciudad de University Park
Departamento de Policía

Con respecto a una Multa

Las denuncias o quejas con respecto a diferencias de opinión entre un policía y un ciudadano en cuanto a la culpabilidad o inocencia del ciudadano no son investigadas pero son decididas correctamente dentro del sistema judicial.

Use páginas adicionales si es necesario

Declaración Jurada de una Denuncia

ESTADO de _____

CONDADO de _____

Ante mí, la autoridad suscrita en y para el Estado de _____, hoy día se presentó personalmente _____, quien, después de haber sido apropiadamente afirmado bajo testamento y depuesto, dijo:

Me llamo _____. Yo estoy en mi juicio y de mente sana, tengo dieciocho años o más, y estoy competente para hacer esta declaración jurada. Mí direcíon es _____ y mí numero de telefono es _____.

Yo he leído la declaración arriba citada que consiste de _____ página (S), que está basada en mi conocimiento personal, y que es verdadera y está correcta.

_____
Firma del Demandante

Firmado y jurado ante mí, la autoridad suscrita, hoy el _____día de _____, A.D. _____.

_____
Notario

La Sección 37.02 del Código Penal de Texas afirma que una persona comete un delito menor Clase A de falta de perjurio "si con el intento de engañar y con el conocimiento del significado de la declaración:
*Hace una declaración falsa bajo juramento o afirma bajo juramento sobre la veracidad de una declaración falsa que había hecho anteriormente y que esa declaración es requerida o autorizada por la ley que se haga bajo juramento; o
*Hace una declaración falsa bajo juramento bajo el Capítulo 12, Código de Procedimiento Civil y Recursos.
Un delito mayor de tercera categoría de perjurio agravante (Sección 37.03) es cometido si el perjurio se hace durante o en relación con un procedimiento oficial y es pertinente y esencial.

Appendix C

Racial Profiling Laws and Corresponding General Orders and Standard Operating Procedures

Texas CCP Article	**UNIVERSITY PARK POLICE DEPARTMENT Bias Based Profiling Policy 01-001**
2.132(b)1	Section II Part A
2.132(b)2	Section I
2.132(b)3	Section III Part B
2.132(b)4	Section III Part C
2.132(b)5	Section III Part B
2.132(b)6	Section III Part D
2.132(b)7	Section III Part F