2013 Racial Profiling Avoidance Data Summary

Lone Star College System Police Department

Lone Star College System
5000 Research Forest Drive
The Woodlands, TX 77381

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Introduction

The Lone Star College System (LSCS) is committed to unbiased policing in all encounters between Police Officers, students, employees, and members of the public. Lone Star College System police are to conduct law enforcement activities in a responsible and professional manner, without regard to race, ethnicity, gender, disability, age, or national origin. Police Officers are strictly prohibited from engaging in racial profiling, 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.

Lone Star College System Police Department Policy

The Lone Star College System Police Department policy provides written directives that:

Strictly prohibits Police Officers from engaging in racial profiling;
Provides a process to accept complaints from any person who believes they have been a victim of racial profiling;
Provides a statement to inform the public of the Department's policy on racial profiling;
Requires that racial profiling complaints are investigated in a timely and thorough manner;
Requires corrective and/or disciplinary action on findings of racial profiling by a Police Officer;
Requires the collection and analysis of certain types of data to determine the prevalence of racial profiling, and to examine any allegations of racial profiling.

Racial Profiling Statutes

Senate Bill 1074 of the 77th Legislature established the requirements in the Texas Code of Criminal Procedure (TCCP) for all Texas law enforcement agencies (TCCP Section 2.131 through Section 2.138).

In 2009, House Bill 3389 provided for law changes beginning in 2011 for reporting data collected in calendar year 2010. The major change was that all agencies must report racial profiling data to Texas Commission on Law Enforcement Officer Standards and Training as well as reporting to their governing body.

Every law enforcement agency must select the option that applies to their particular situation. These options are:

1. Law enforcement agencies that do not routinely make motor vehicle stops can be fully exempt from reporting.

2. Law enforcement agencies that routinely perform traffic stops or motor vehicle stops and who have their vehicles that routinely perform theses stops equipped with video and audio equipment can report under CCP 2.135. (This is called Tier 1 Reporting)

3. Law enforcement agencies that routinely perform traffic stops or motor vehicle stops and who do not equip their vehicles with video or audio equipment must report under CCP 2.133 and perform an analysis as required by CCP 2.134.

Lone Star College System Police Department does not have video or audio equipped patrol vehicles so reports in compliance with CCP 2.133 and 2.134 as follows:

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.

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.

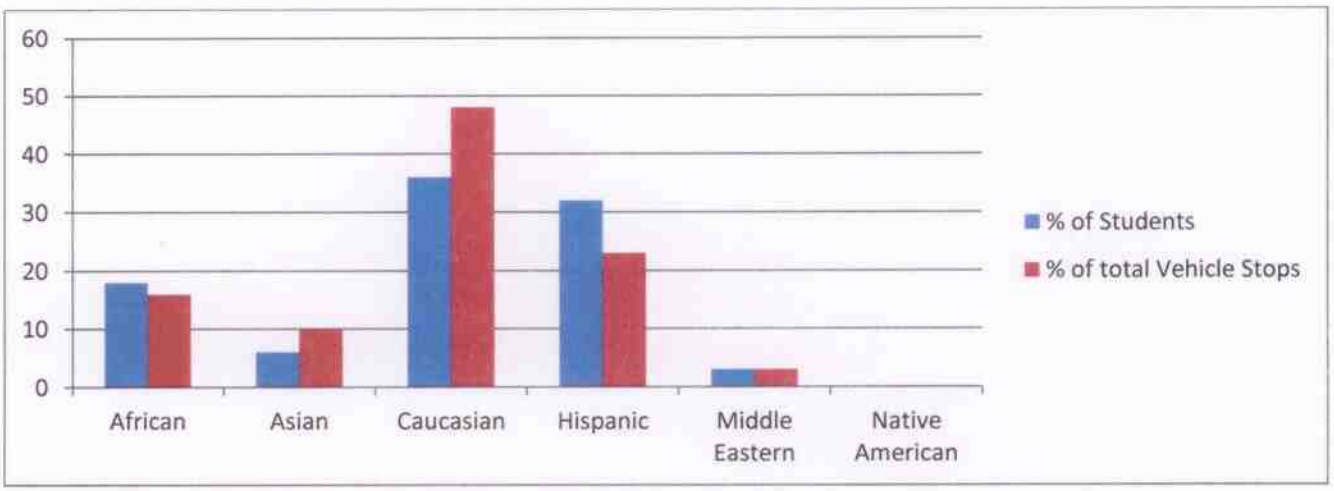
2013 Vehicle Stop Data

From January 1, 2013 through December 31, 2013, the Lone Star College System Police Department reported 154 vehicle stops. The drivers of the vehicles were 95 males and 59 females. The chart and graph below display the race or ethnicity of these drivers, and compares the race or ethnicity of students that attend Lone Star College.

Number	Driver Race/Ethnicity	Percent of Total Vehicle Stops	*Percent of Students
24	African	16%	18%
15	Asian	10%	6%
74	Caucasian	48%	36%
36	Hispanic	23%	32%
5	Middle Eastern	3%	3%
0	Native America	0%	0%

(* Information from LSCS Office of Research and Institutional Effectiveness, Student Demographics Official Day Fall 2013.)

The below graph displays the percent of motorist stopped by race/ethnicity (red graph) and compares the percent of Lone Star College students by race/ethnicity (blue graph).



(Note: The "Middle Eastern" category is not specifically collected by LSCS)

Data Analysis

A review of the percent of the race/ethnicity of persons stopped and the race/ethnicity of registered students at Lone Star College appears to be similar and does not provide an indication of racial profiling.

Vehicle Searches and Contraband Seizures

Of the 154 vehicles stopped in 2013, only 1 vehicle was searched. The search was conducted after consent to search was provided. The search conducted resulted in no seizure of contraband.

Racial Profiling Complaints

There were no racial profiling complaints against LSCS Police Department personnel in 2013.

Summary

There were no allegations of racial profiling against any Lone Star College Police Officer in 2013.

No traffic stops resulted in the search and/or seizure of contraband.

A review of all data collected on traffic stops throughout the System does not provide any indication of racial profiling.

It appears that the Police Officers of the Lone Star College Police Department are complying with the System policies and State law prohibiting racial profiling. No patterns of arrest, citation, or search targeting any ethic group were revealed by the analysis of the data collected during 2013.

Recommendations

It is recommended that the Lone Star College System Police Department continue to ensure Police Officers are adhering to the data reporting procedures, and that supervisors continue to review arrest and citation data for early indicators of racial profiling. The Department should also continue providing racial profiling avoidance training to police personnel.